

### THE CITY OF SAN DIEGO REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	May 16, 2013	REPORT NO. PC-13-056
ATTENTION:	Planning Commission, Agenda of May 23,	2013
SUBJECT:	Verizon – Sunset Cliffs View - PROJECT	NO. 266961. PROCESS 4.
OWNER/ APPLICANT:	St. Peters-by-the-Sea Lutheran Church/ Verizon Wireless	

#### SUMMARY

**Issue(s)**: Should the Planning Commission approve a Wireless Communication Facility (WCF) at 1371 Sunset Cliffs Boulevard in the Ocean Beach community plan area?

Staff Recommendation: APPROVE Planned Development Permit (PDP) No. 1118350.

<u>Community Planning Group Recommendation</u>: The Ocean Beach Community Planning Group voted to recommend approval of this project at their March 6, 2013 meeting. (Attachment 12)

**Environmental Review:** This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on March 29, 2013, and the opportunity to appeal that determination ended April 22, 2013. The project was evaluated pursuant to the California Environmental Quality Act (CEQA) and determined to be exempt per Categorical Exemption 15301(b) (Existing Facilities, Public or Private Utilities).

**Fiscal Impact Statement:** Verizon Wireless is the Financially Responsible Party responsible for costs associated with the processing of this application.

Code Enforcement Impact: Not applicable.

Housing Impact Statement: Not applicable.



#### BACKGROUND/DISCUSSION

Verizon – Sunset Cliffs View is an application for a Planned Development Permit (PDP), Process 4, for a Wireless Communication Facility (WCF). The project consists of two (2) panel antennas mounted to two (2) existing 30-foot tall parking lot light standards. One equipment cabinet is attached to one of the light standards. The project is located at 1371 Sunset Cliffs Boulevard, in the CC-4-2 zone, within the Ocean Beach Community Plan area (Attachments 1, 2, 3, and 4).

WCF's are permitted in commercial zones with a non-residential use with the processing of a Limited Use, Process 1 approval. In this case, the WCF encroaches into the CC-4-2 zone 10-foot rear setback, requiring a PDP, Process 4, to deviate from this requirement. Two palm trees and a line of shrubs are being added to the parking lot in an effort to enhance the WCF.

This WCF was originally permitted with permit number 99-0960-21, issued March 9, 2001, which expired February 14, 2011. This is an application for a new permit to continue operation of the WCF. This application is subject to the current Land Development Code (LDC) regulations.

#### **Community Plan Analysis:**

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

Minimize the visual impact of wireless facilities.

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

This project complies with the requirements of the General Plan for WCF's. While the antennas are not concealed within an existing structure, they are mounted to parking lot light standards, which are vertical elements one would expect in a parking lot. The two proposed palm trees located adjacent to Point Loma Avenue will work toward improving the appearance of the WCF. One equipment cabinet is associated with this facility and is mounted to one of the parking lot light standards, resulting in an unobtrusive design.

#### **Conclusion:**

This project complies with the applicable regulations of the Land Development Code and the City's General Plan and draft findings (Attachment 5) have been made in the affirmative. Therefore, staff recommends approval of PDP No. 1118350.

#### ALTERNATIVES

- 1. Approve PDP No. 1118350, with modifications.
- 2. Deny PDP No. 1118350, 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,

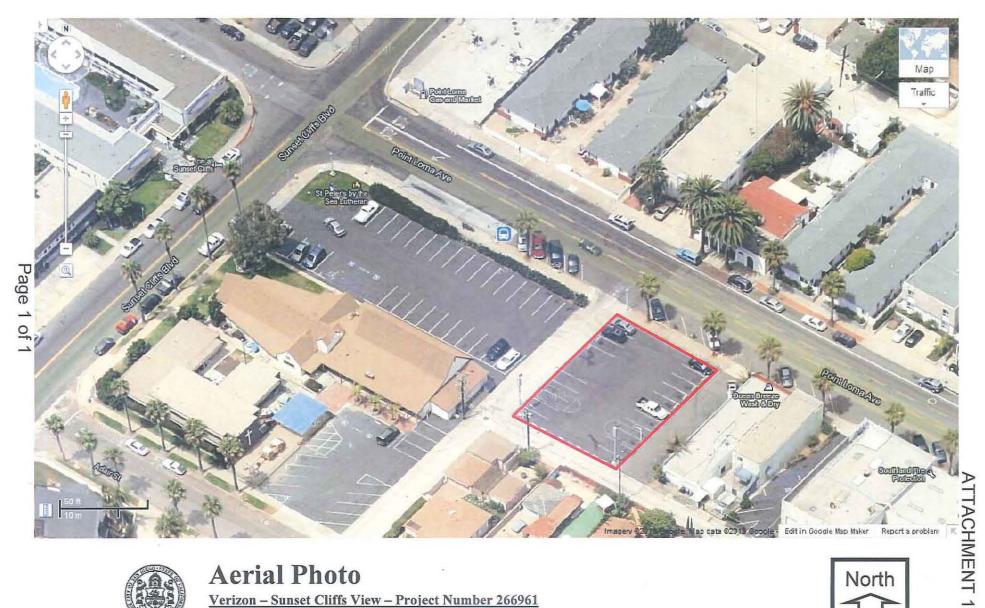
Mike Westlake Assistant Deputy Director Development Services Department

Alex Hempton, AICP Development Project Manager Development Services Department

**BROUGHTON/AFH** 

#### Attachments:

- 1. Aerial Photo
- 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. Notice of Right to Appeal (NORA) Env. Exemption
- 8. Photo Simulations
- 9. Site Justification
- 10. Coverage Maps
- 11. Project Plans
- 12. Community Planning Group Recommendation
- 13. Ownership Disclosure Statement
- 14. Project Chronology
- 15. Notice of Planning Commission Hearing
- 16. Photo Study





**Aerial Photo** Verizon - Sunset Cliffs View - Project Number 266961

1371 Sunset Cliffs Blvd.





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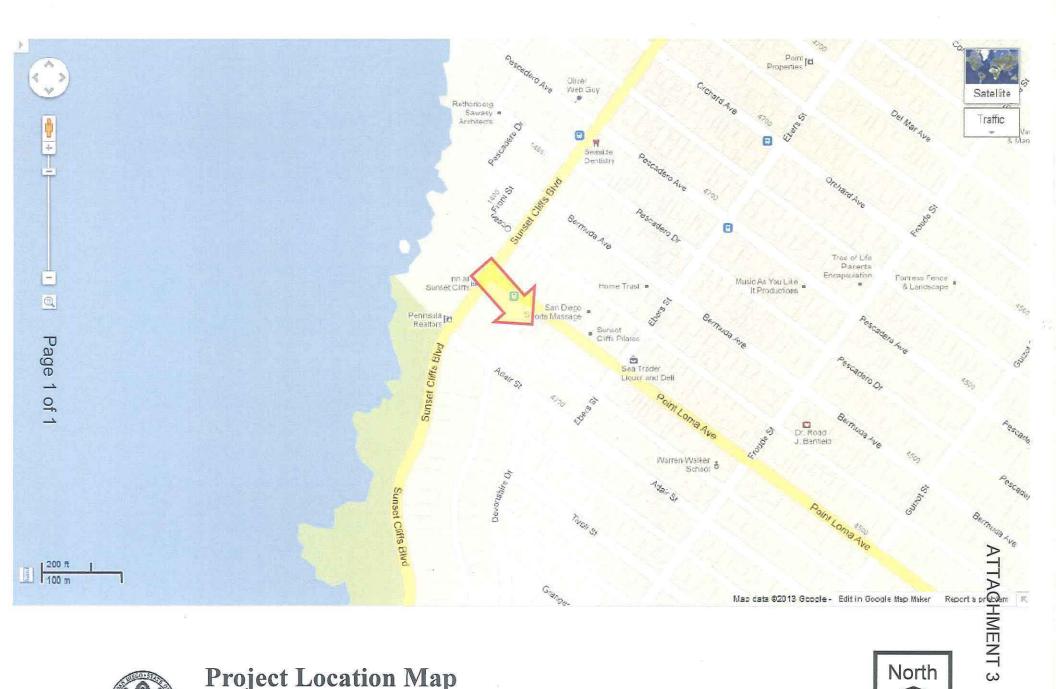
Parking lot designated as Neighborhood Commercial.



**Community Plan Land Use Map** 

Verizon - Sunset Cliffs View - Project Number 266961

1371 Sunset Cliffs Blvd.





**Project Location Map** 

Verizon - Sunset Cliffs View - Project Number 266961

1371 Sunset Cliffs Blvd.

## **PROJECT DATA SHEET**

PROJECT NAME:	Verizon – Sunset Cliffs V	liew
PROJECT DESCRIPTION:	Communication Facility lot light standards, with o	rmit (PDP) for a Wireless (WCF) consisting of two parking one antenna mounted to each light ent cabinet mounted to the light
COMMUNITY PLAN AREA:	Ocean Beach	
DISCRETIONARY ACTIONS:	Planned Development Permit, Process 4	
COMMUNITY PLAN LAND USE DESIGNATION:	Neighborhood Commerc	ial
ZONE: HEIGHT LIMIT: FRONT SETBACK: SIDE SETBACK: STREETSIDE SETBACK:	30' 0/10'	<u>DN</u> :
REAR SETBACK:	LAND USE DESIGNATION &	EXISTING LAND USE

ADJACENT PROPERTIES:	LAND USE     EXISTING LAND USE       DESIGNATION &     ZONE	
NORTH:	Neighborhood Commercial, CC-4-2	Commercial
SOUTH:	SOUTH:Residential, RS-1-7ResidentialEAST:Neighborhood Commercial, CC-4-2CommercialWEST:Residential, RM-1-1Church	
EAST:		
WEST:		
DEVIATIONS OR VARIANCES REQUESTED:	The light standards encroach into the 10-foot required rear yard setback.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	At the March 6, 2013 meeting of the Ocean Beach Community Planning Group, the group voted 10-0-0 to recommend approval of the project.	

#### PLANNING COMMISSION RESOLUTION NO. PC-XXXX PLANNED DEVELOPMENT PERMIT (PDP) NO. 1118350 VERIZON – SUNSET CLIFFS VIEW PROJECT NUMBER 266961

WHEREAS, ST. JAMES BY THE SEA LUTHERAN CHURCH, Owner, and VERIZON WIRELESS, Permittee, filed an application with the City of San Diego for a permit to construct, operate, and maintain a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1118350);

WHEREAS, the project site is located at 1371 Sunset Cliffs Boulevard in the CC-4-2 zone of the Ocean Beach community plan area;

WHEREAS, the project site is legally described as Lots 14, 15, 16, 17, 18, and 19, in Block 4, Sunset Cliffs, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 1889, filed in the Office of the County Recorder of San Diego County, March 1, 1926;

WHEREAS, on March 29, 2013, 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(b) (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on May 23, 2013, the Planning Commission of the City of San Diego considered Planned Development Permit No. 1118350 pursuant to the Land Development Code of the City of San Diego;

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

That the Planning Commission adopts the following written Findings, dated May 23, 2013:

#### FINDINGS:

#### Planned Development Permit - Section 126.0604

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

The City's General Plan (UD-15) lists specific requirements for WCF. Specifically, the City's General Plan states that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

In this case, the WCF consists of a total of two (2) antennas mounted to two (2) 30-foot high parking lot light standards. One (1) panel antenna is mounted to each light standard. A small equipment box associated with the antennas is attached to one of the light standards. Light standards are typical vertical elements in the landscape that can support antennas fairly discreetly

while providing height for wireless coverage. Utilizing light standards in a parking lot is compatible with the neighborhood commercial parking lot setting. The WCF regulations as well as the WCF Design Guidelines encourage carriers to locate on existing vertical elements as a way to minimize the visual obtrusiveness.

# 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, Verizon Wireless has provided a model RF test and has submitted the findings to the City. (Note: This report is in addition to LDC section 141.0420(b)(1)(A), which requires compliance with federal and state standards and regulations with regards to WCF's.) Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the City.

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

The proposed WCF complies with the regulations of the Land Development Code, including all of the WCF Regulations, LDC Section 141.0420, with the exception of the rear yard setback requirements of the CC-4-2 zone. The light standards, antennas, and equipment are located in the rear yard setback and this deviation is being processed with this PDP. The WCF Design Requirements, LDC Section 141.0420(g)(9), permits antennas to be located on vertical elements, such as light standards or flag poles, as long as they replicate the design, diameter, and proportion of the vertical element they are intending to imitate. In this case, with only one antenna each mounted to two parking lot light standards, the typical dimensions found on a parking lot light standard are able to be maintained.

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

This project allows Verizon to continue providing wireless coverage in a commercial zone with a commercial use to the surrounding neighborhood and community, which consists of commercial, residential, and institutional uses. The minimal profile and design allows the WCF to be compatible with the existing and adjacent development. It provides a means for the community to continue enjoying access to Verizon Wireless coverage and capacity, without impacting views, which will be beneficial to the community.

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

This project complies with the regulations of the Land Development Code, with one exception. The CC-4-2 zone rear setback is either 0 or 10 feet. In this case, the light standards with antennas and equipment are located within the 10 foot setback. To help improve the appearance of the

facility, two palm trees are proposed within the parking lot area, which will help to enhance views of the property and the WCF. Providing light within the parking lot area for security purposes and providing supports for the antennas serves a dual purpose for the neighborhood. Even if the light standards observed the required setbacks, views of the facility would not change much in that they would still be visible, however because the profiles are slim the visual impact is negligible. The proposed location is compatible with the parking lot design and results in a more favorable project than would be achieved if designed in strict conformance with the development regulations of the CC-4-2 zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 1118350 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1118350, a copy of which is attached hereto and made a part hereof.

Alex Hempton, AICP Development Project Manager Development Services

Adopted on: May 23, 2013

Internal Order No. 24002410

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

WHEN RECORDED MAIL TO CITY CLERK

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### INTERNAL ORDER NUMBER: 24002410

#### PLANNED DEVELOPMENT PERMIT NO. 1118350 VERIZON – SUNSET CLIFFS VIEW, PROJECT NO. 266961 PLANNING COMMISSION

This PLANNED DEVELOPMENT PERMIT (PDP) NO. 1118350 is granted by the Planning Commission of the City of San Diego to ST. JAMES BY THE SEA LUTHERAN CHURCH, Owner, and VERIZON WIRELESS, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420 and 126.0601. The site is located at 1371 Sunset Cliffs Boulevard in the CC-4-2 zone of the Ocean Beach community plan area. The project site is legally described as: Lots 14, 15, 16, 17, 18, and 19, in Block 4, Sunset Cliffs, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 1889, filed in the Office of the County Recorder of San Diego County, March 1, 1926.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct, operate, and maintain a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 23, 2013, on file in the Development Services Department.

The project shall include:

- a. Two (2) panel antennas, measuring 50.9" by 11.9" by 7.1", consisting of two (2) sectors of one (1) panel antennas each, mounted to two 30-foot high parking lot light standards;
- b. A 17" by 21" by 38" equipment cabinet mounted to one of the parking lot light standards (near ground level);
- c. This project requests the following deviation which is permitted with this Planned Development Permit: The two parking lot light standards are located within the 10-foot CC-4-2 zone setback;

- d. Landscaping (planting, irrigation and landscape related improvements);
- e. These structures are for the primary purpose of providing parking lot illumination, but may have the secondary purpose of accommodating Permittee's Operations on the Premises.
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

#### STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by June 7, 2016.

2. This permit and corresponding use of this site shall expire on May 23, 2023. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

3. No later than ninety (90) days prior to the expiration of this permit, the Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for enforcement for noncompliance, which may include penalties and fines.

4. Under no circumstances, does approval of this permit authorize the Permittee to utilize this site for wireless communication purposes beyond the permit expiration date. Use of this permit 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 building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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 determinednecessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

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.

#### LANDSCAPE REQUIREMENTS:

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

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

16. Prior to issuance of any Certificate of Occupancy or activation of WCF, it shall be the responsibility of the Permittee to install all required landscape and obtain all required landscape inspections.

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

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

#### PLANNING/DESIGN REQUIREMENTS:

19. 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.

20. 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.

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

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

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

24. No overhead cabling is allowed for this project.

25. The Owner/Permittee shall not cause or allow the antennas located on the light standards to be different sizes (length, width, or height) than as shown on the stamped approved plans.

26. The WCF shall conform to Exhibit "A" (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.

27. Prior to the issuance of a construction permit, the telecommunication provider shall provide a certified 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.

28. All equipment, including transformers, emergency generators and air conditioners belonging to the 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.

29. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHA/FCC to the satisfaction of the Development Services Department.

30. Within 180 days, or no later than November 19, 2013, the Owner/Permittee shall install the required landscape material, repaint the light standards and equipment, as shown Exhibit "A," and pass a final Telecom Planning Inspection.

#### **INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- A "Telecom Planning Inspection" will be required prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans, exhibits, and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at 619-446-5349 to schedule an inspection of the completed WCF. Please request the telecom inspection at least five working days ahead of the requested 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 May 23, 2013 and [Approved Resolution Number].

#### Permit Type/PTS Approval No.: PDP #1118350 Date of Approval: 5/23/2013

# AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Alex Hempton, AICP 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.

ST. JAMES BY-THE-SEA LUTHERAN CHURCH Owner

By

NAME TITLE

VERIZON WIRELESS Permittee

By

LESLIE VARTANIAN NETWORK MANAGER

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



THE CITY OF SAN DIEGO

### Date of Notice: March 29, 2013 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION DEVELOPMENT SERVICES DEPARTMENT

SAP or WBS No. 24003148

PROJECT NAME/NUMBER: Verizon Sunset Cliffs/266961
 COMMUNITY PLAN AREA: Ocean Beach
 COUNCIL DISTRICT: 2
 LOCATION: 1371 Sunset Cliffs Boulevard, San Diego, CA 92107 (Lots 14-19, Block 4 of Sunset Cliffs Map 1889)

**PROJECT DESCRIPTION:** Planned Development Permit (PDP) application for a Wireless Communication Facility (WCF) consisting of two (2) antennas mounted on two existing parking lot light standards with an equipment cabinet attached to one of the light standards. The equipment would continue to operate without any changes. The project, located at 1371 Sunset Cliffs Boulevard, is Zoned CC-4-2, and is within the Federal Aviation Administration Part 77 noticing area.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Staff

**ENVIRONMENTAL DETERMINATION:** This project is exempt pursuant to the California Environmental Quality Act Section 15301 (b) – existing facilities, public or private utilities.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** This project is exempt because minimal changes are required to remove and replace antennas and would allow an existing WCF to continue operation. In addition the project is exempt because it meets the criteria set forth in CEQA section 15301(b) – existing facilities, public or private utilities and where the exceptions listed in CEQA section 15300.2 would not apply.

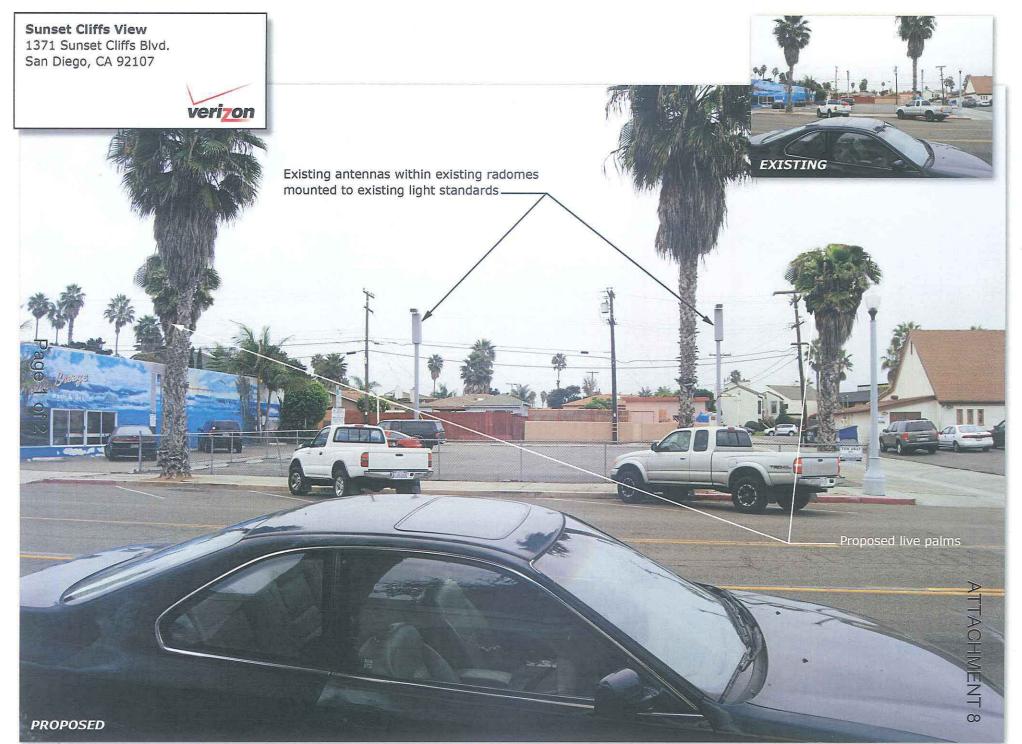
DEVELOPMENT PROJECT MANAGER:	Alex Hempto
MAILING ADDRESS:	1222 1 <sup>st</sup> Aven
PHONE NUMBER:	619-446-5349
	015 110 00 15

Alex Hempton 1222 1<sup>st</sup> Avenue, San Diego, CA 92101 619-446-5349

On March 29, 2013 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 15 business days from the date of the posting of this Notice. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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



Photosimulation of changes to existing telecommunications site

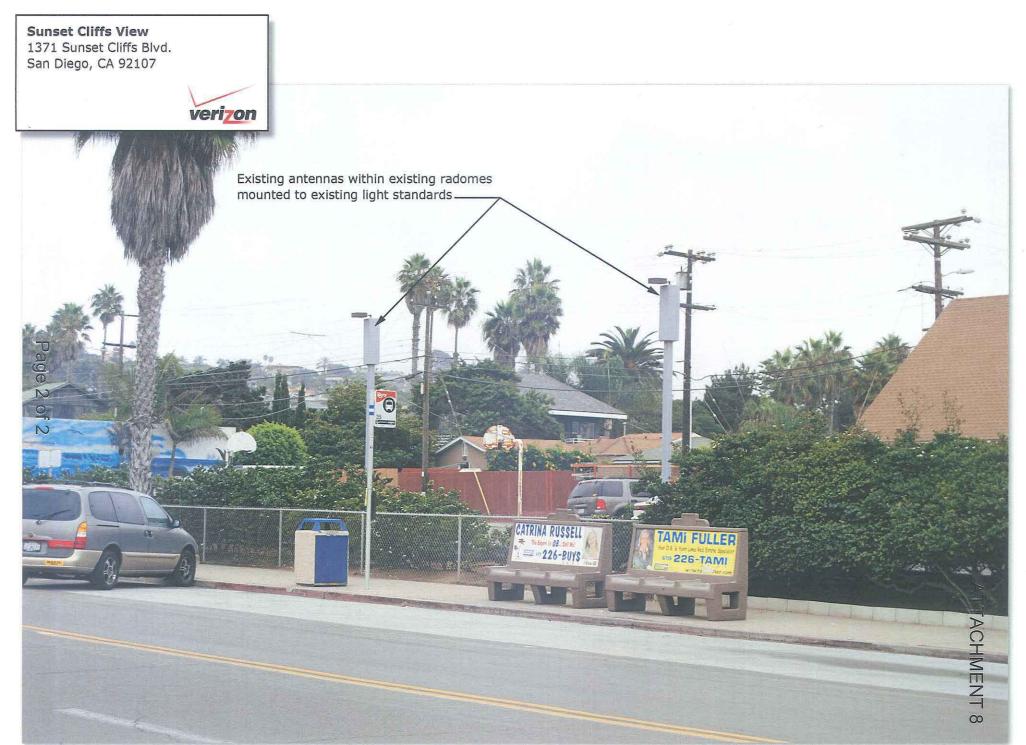


Photo-realization of existing telecommunications site

#### SITE JUSTIFICATION Verizon Wireless Sunset Cliffs

#### PROJECT DESCRIPTION

The project proposes to continue operation of an existing wireless communication facility located at 1371 Sunset Cliffs Blvd, San Diego. The project as proposed continues to use the previously approved design. No changes are proposed to the site.

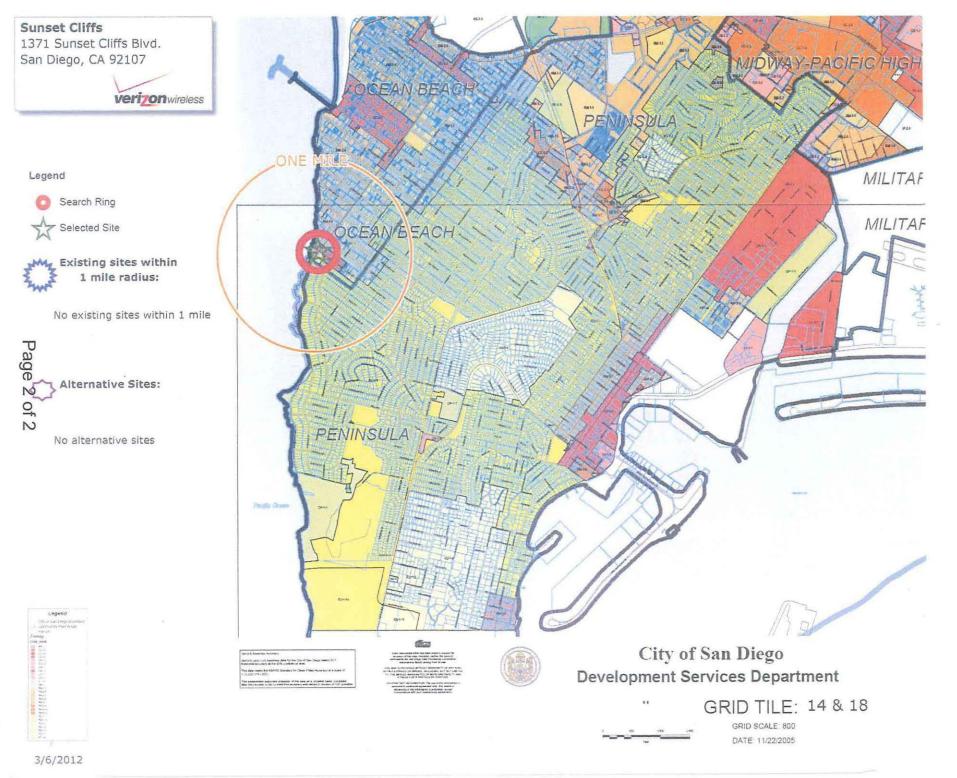
The property is located a parcel owned by Saint Peters by the Sea Lutheran Church. There is a Laundromat to the east, the church building to the west, single family residential to the south and Multifamily residential to the north.

#### PREFERENCE 1 LOCATION

The proposed facility is located on a property that is commercially zoned with a commercial use on the site. The antennas are attached to existing light standards. The light standards are within the setback and are not located on the property line. As a result this site now requires a Planned Development Permit, Process 4 the site does not meet the development standards for setbacks.. We believe that the facility as designed is consistent will all other development standards and it visually integrated with the existing light fixture.

#### **CO-LOCATION OF FACILITIES**

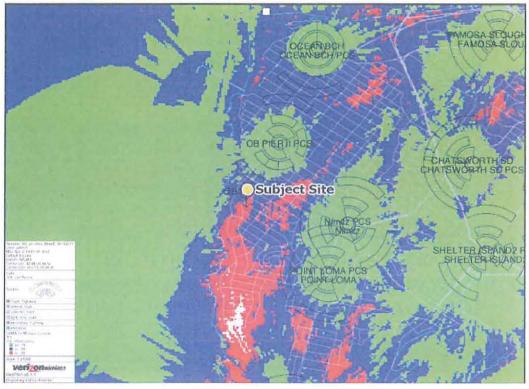
There is currently 1 existing carriers on site, Verizon.

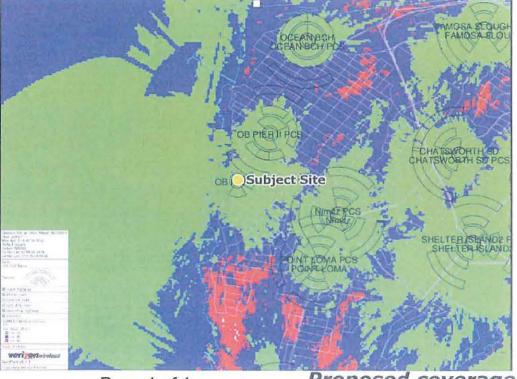


Sunset Cliffs 1371 Sunset Cliffs Blvd. San Diego, CA 92107



### Existing coverage

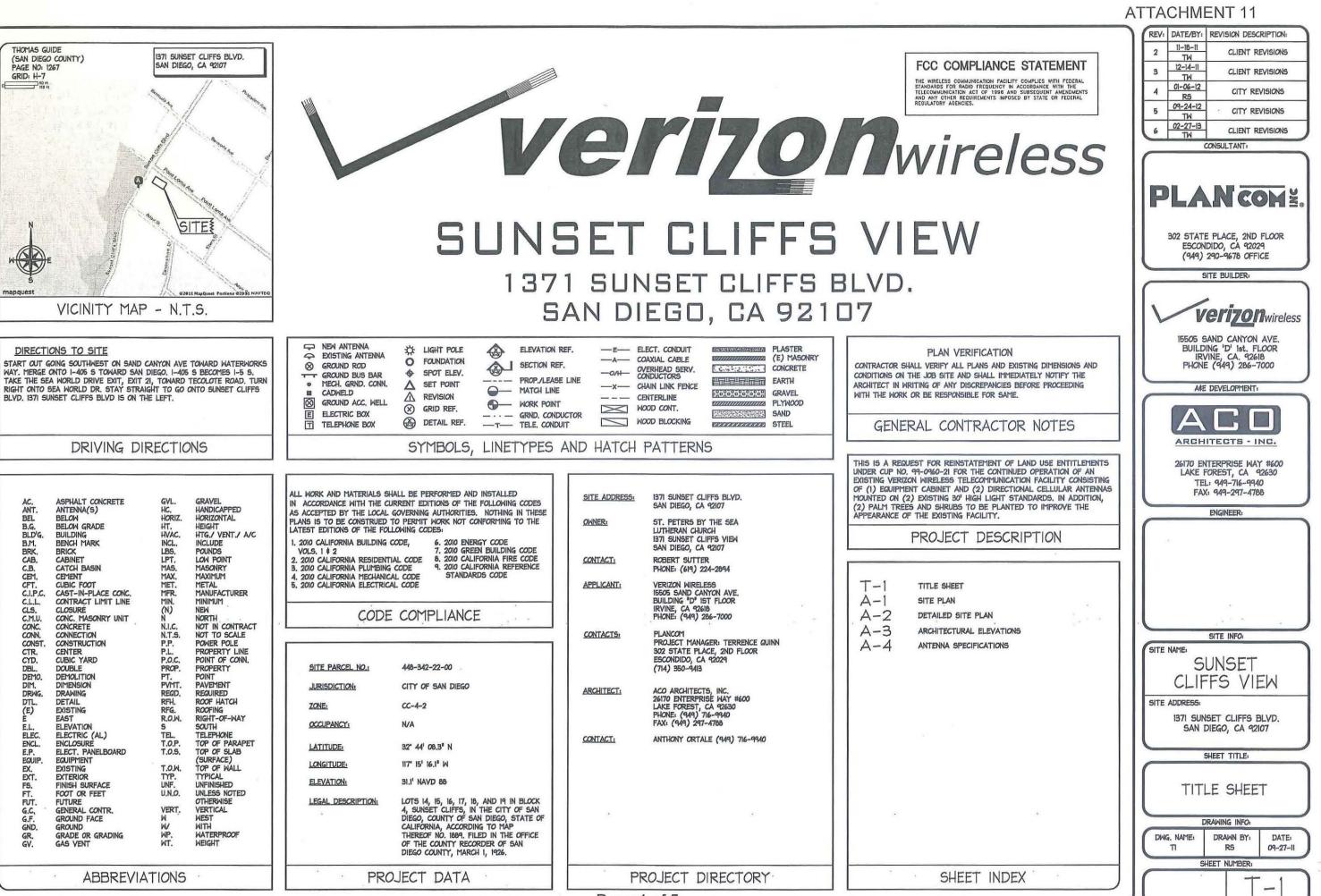




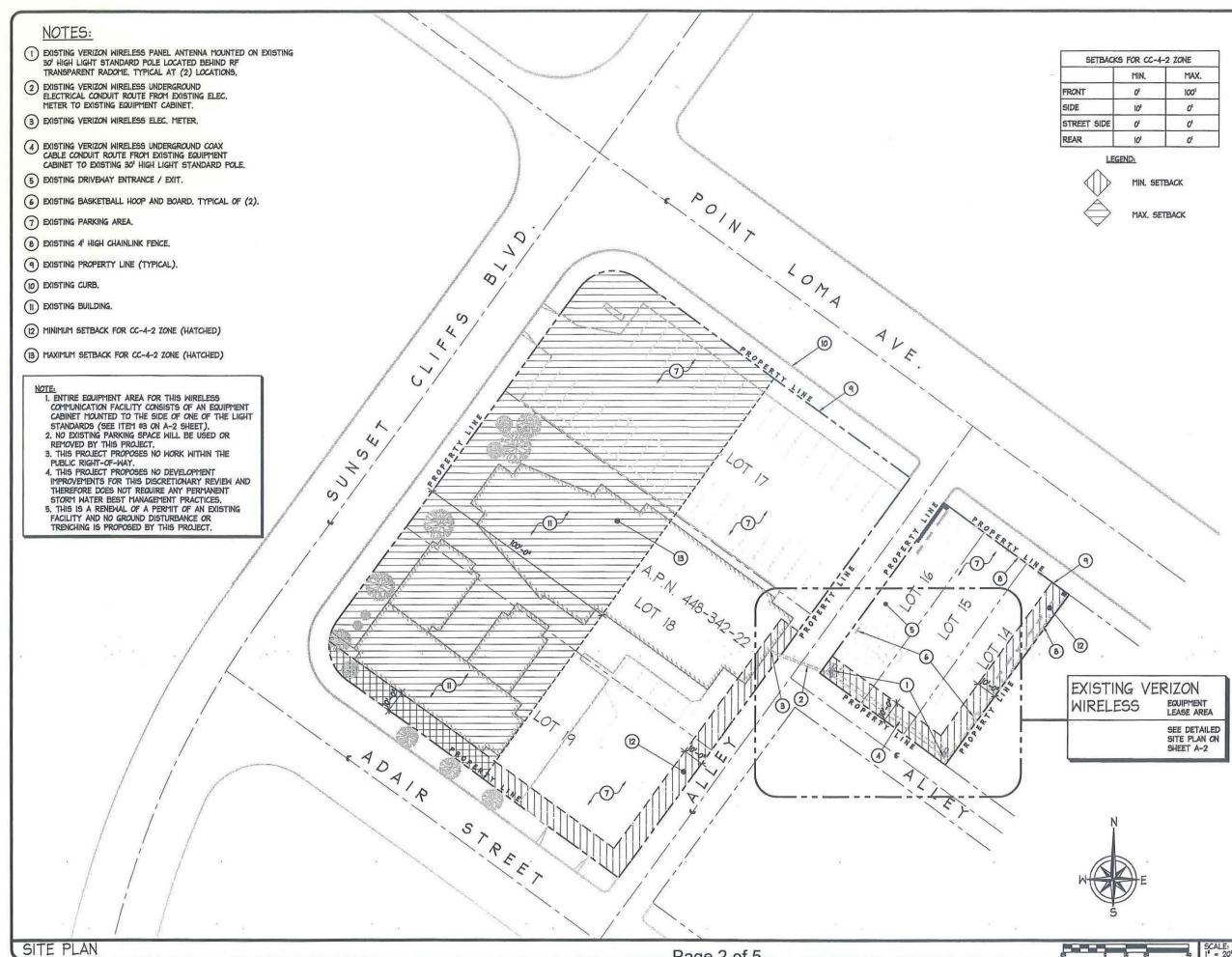


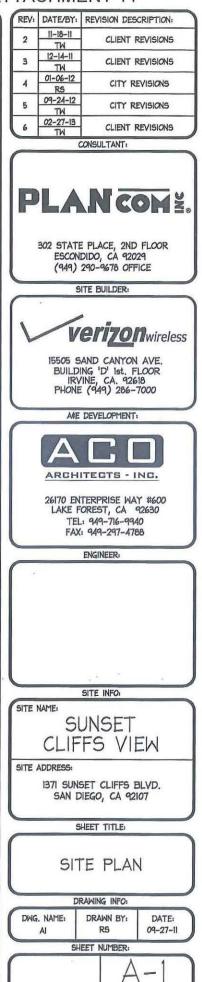
Page 1 of 1

Proposed coverage



Page 1 of 5

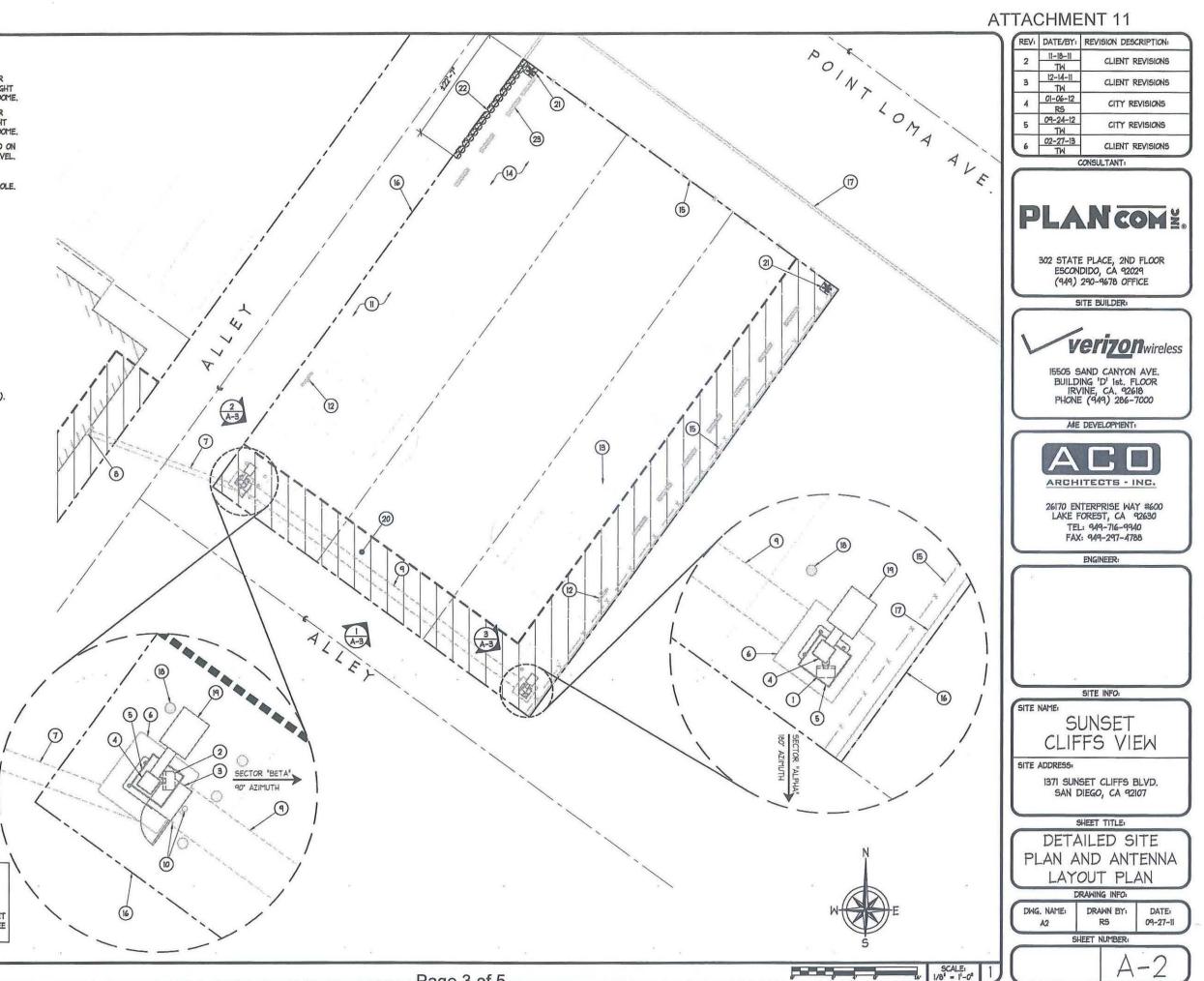


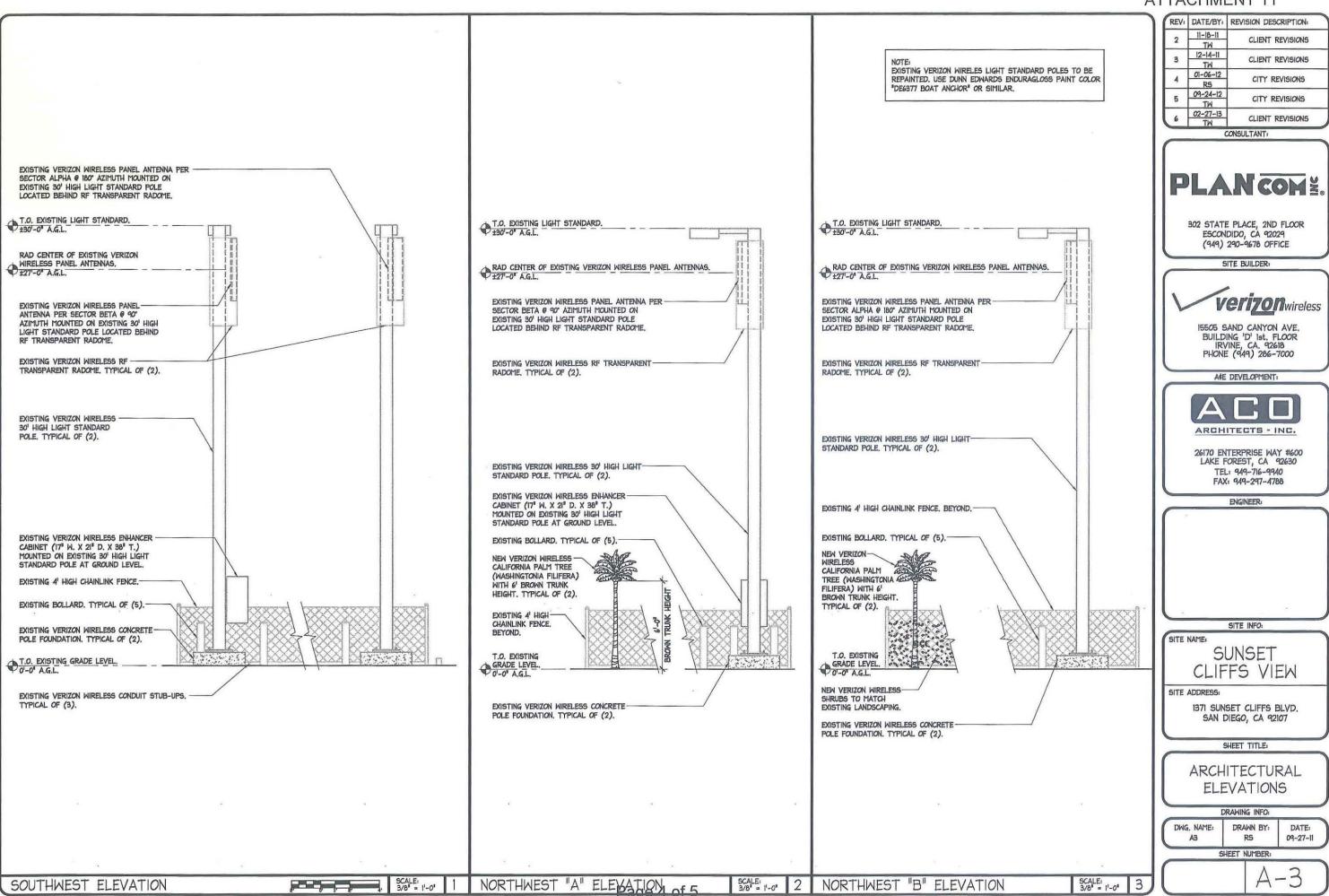


#### NOTES:

- 1 EXISTING VERIZON WIRELESS PANEL ANTENNA PER SECTOR ALPHA @ 180° AZIMUTH MOUNTED ON EXISTING 30' HIGH LIGHT STANDARD POLE LOCATED BEHIND RF TRANSPARENT RADOME.
- (2) EXISTING VERIZON WIRELESS PANEL ANTENNA PER SECTOR BETA @ 90° AZIMUTH MOUNTED ON EXISTING 30' HIGH LIGHT STANDARD POLE LOCATED BEHIND RF TRANSPARENT RADOME.
- 3 EXISTING VERIZON WIRELESS ENHANCER CABINET MOUNTED ON EXISTING 30' HIGH LIGHT STANDARD POLE AT GROUND LEVEL. DIMENSIONS ARE 17" W. X 21" D. X 38" T.
- (4) EXISTING VERIZON WIRELESS 30' HIGH LIGHT STANDARD POLE. TYPICAL OF (2).
- 5 EXISTING VERIZON WIRELESS RF TRANSPARENT RADOME. TYPICAL OF (2).
- 6 EXISTING VERIZON WIRELESS CONCRETE POLE FOUNDATION. TYPICAL OF (2).
- (7) EXISTING VERIZON WIRELESS UNDERGROUND ELECTRICAL CONDUIT ROUTE FROM EXISTING ELEC. METER TO EXISTING EQUIPMENT CABINET.
- (B) EXISTING VERIZON WIRELESS ELEC. METER.
- () EXISTING VERIZON WIRELESS UNDERGROUND COAX CABLE CONDUIT ROUTE FROM EXISTING EQUIPMENT CABINET TO EXISTING 30' HIGH LIGHT STANDARD POLE. APPROX. 65' CONDUIT RUN.
- (10) EXISTING VERIZON WIRELESS CONDUIT STUB-UPS. TYPICAL OF (3).
- (I) EXISTING DRIVEWAY ENTRANCE / EXIT.
- (12) EXISTING BASKETBALL HOOP AND BOARD. TYPICAL OF (2).
- (13) EXISTING PARKING STRIPE.
- (14) EXISTING PARKING AREA.
- (15) EXISTING 4' HIGH CHAINLINK FENCE.
- (16) EXISTING PROPERTY LINE (TYPICAL).
- (17) EXISTING CURB.
- (18) EXISTING BOLLARD, TYPICAL OF (5).
- (19) EXISTING LIGHT MOUNTED AT TOP OF EXISTING VERIZON WIRELESS LIGHT STANDARD POLE.
- (20) MINIMUM SETBACK FOR CC-4-2 ZONE (HATCHED)
- (21) NEW VERIZON WIRELESS CALIFORNIA PALM TREE (WASHINGTONIA FILIFERA) WITH 6' BROWN TRUNK HEIGHT. TYPICAL OF (2).
- (2) NEW VERIZON WIRELESS SHRUBS TO MATCH EXISTING LANDSCAPING.
- (23) EXISTING CONCRETE WHEELSTOP. TYPICAL.

NOTES: 1. EXISTING VERIZON WIRELES LIGHT STANDARD POLES TO BE REPAINTED, USE DUNN EDWARDS ENDURAGLOSS PAINT COLOR "DE6377 BOAT ANCHOR" OR SIMILAR. 2. ENTIRE EQUIPMENT AREA FOR THIS WIRELESS COMMNUNICATION FACILITY CONSISTS OF AN EQUIPMENT CABINET MOUNTED TO THE SIDE OF ONE OF THE LIGHT STANDARDS (SEE ITEM #3 ON THIS SHEET.)





Product Specifications ANDREW. DBXNH-6565A-VTM Dualeolig Dual Band Antenna, 698-696 MHz and 1710-2180 MHz, 65\* horizontal beamwidth, RET compatible variable electrical til: Ultra wideband capability for LTE 700 MHz and 850 MHz cellular technology Two DualPol® antennas under one radome Interleaved dipole technology providing for attractive, low wind load mechanical package Each antenna is independently capable of field adjustable electrical tilt · Fully compatible with Andrew Teletilit® remote control system The RF connectors are IP67 rated and the radome is IP56 rated CHARACTERISTICS **General Specifications** Antenna Type DualPol@ dual band Brand DualPol@ | Teletilt@ Operating Frequency Band 1710 - 2180 MHz | 698 - 896 MHz **Electrical Specifications** Electrical Specifications Frequency Band, Mits Beamwidth, Horitantal, degrees Beamwidth, Horitantal Tolerance, degrees Gain, dBi Beamwidth, Horitantal Tolerance, degrees Beamwidth, Horitantal Gegrees Beamwidth, Netrical, degrees Upper Sidebab Suppression (USLS), typical, dB Front-to-back Ralio at 100° + 20°, dB Cross Polarization Ratio (CPR) at Sector, dB Isolation, dB Isolation, dB Isolation, dB Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 2 x 20 W, dBc Internodulation Products, 3rd Order, 3rd Drate, 3rd Polarization 
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 www.commscope.com/andrew ©2011 ConenScope, Ior. All rights reserved All redemarks (donlined by 0 m<sup>14</sup> are registered hademarks or trademarks, respectively, of CommScope All specifications are subject to change Commandemarks are indemarks the mark consent laborarytics poge 1 of 4 1/20/2011

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UDED PRODUCTS		
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DB5083 Downtilt Mounting Kit	for 2.4 - 4.5 in (60 - 115 mm) OD round members	
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### ATTACHMENT 11



#### OCEAN BEACH PLANNING BOARD GENERAL MEETING MINUTES

#### Wednesday, March 6, 2013

6:00PM: Meeting called to order by Chairperson Jane Gawronski. Board members present, Tom Gawronski, Barbara Schmidtkecht, Kelly Taing, Bill Busche, Giovanni Ingolia, Jane Gawronski, Peter Ruscitti, Scott Therkalsen, Ronson Shamoun, Landry Watson.

AGENDA MODIFICATIONS AND APPROVAL: Agenda for March 6, 2013, Motioned by Giovanni Ignolia and seconded by Tom Gawronski. 10-0-0

MINUTES MODIFICATIONS AND APPROVAL:

February 6, 2013, general meeting minutes, approved by 10-0-0

TREASURER REPORT: \$289.48

MICHAEL PATTON: Mid-year budget is at a \$5 million surplus, and \$22,000 was given to Park and Recreation to help vegetation growth.

Non-Agenda Public Comment #1: Roberto from Marty Blocks office shared about Increase access to higher education and improved teacher evaluations. He also spoke about protecting our children and communities by improving school safety, combating gangs and human trafficking, and deterring elder theft and senior scams.

INFORMATION ITEM #001: Airport Planner, Angie Jamison, presented an overview of the Airport Land Use Compatibility Plan (ALUCP) and information about how people can review or comment during the environmental review process. Since San Diego county has 16 airports, the ALUCP helps maintain land use and noise regulations concerning airport and public safety.

Action Item #001: Verizon Wireless Antennae Site Upgrade/Renewal-(1371 Sunset Cliffs)

Verizon requested to renew and upgrade existing wireless communication antennae at 1371 Sunset Cliffs Avenue (Bethany Lutheran site) in the CC4-2 Zone in the Ocean Beach Community. Coastal overlay Coastal Ht Limit. FAA Part 77, Council District 2. OBPB District 7. Motioned by Giovanni Ingolia and seconded by Barbara Schmidtkecht for approval as presented. 10-0-0

CHAIR ANNOUNCEMENT S/CORRESPONDENCE/MEETINGS:

CPC Meeting: CIP's annual environment approval Nora. Notification was sent in fall of 2011. The city staff asked CPC if they would like to expand notifications to a level 2. Every Monday 3 files are sent out about projects.

OBHS: Raising money for historical society event

OBTC: Dog Beach Clean-up at 11am on 3/9/2013

OBMA: Sun Downer mixer for business owners

OBCDC: No meeting

Precise Plan Update Subcommittee: Meeting at dog wash at 6pm

Mission bay park: No meeting

Crime Prevention: Credit Card theft usage in local Ocean Beach shops

Airport Noise Advisory Board: No report

Appeals Committee: No report

SANDAG: No meeting

San Diego River Coalition: River date coming up

OB Recreation Council: Joint usage agreement with San Diego Unified School District at Correa Middle School on Baseball Field usage. Padres are redoing baseball field and want to take away use from the City.

Election committee: Voting on March 12, 2013 between 4-7 pm, must have identification present

Appeals Subcommittee: No report

SANDAG: State said SANDAG Regional Transportation Plan doesn't comply to state law because it doesn't reduce green house gas emissions enough

San Diego River Coaltion: No meeting.

OB Recreation Council: No meeting.

Adjourned: 8:00 pm

Deve 1222 San	of San Diego slopment Services P First Ave., MS-302 Diego, CA 92101 ) 446-5000	Ownership Disclosure Statemen
☐ Neighborhood Developr ☐ Variance ☐ Tentative M		ested: X Neighborhood Use Permit Coastal Development Permit mit Planned Development Permit Conditional Use Permit Waiver Land Use Plan Amendment • Other
Project Title		Project No. For City Use Only
Verizon - Sunset Cliffs Project Address:	s	and the second
	vd., San Diego, CA 92107	and the second
Part I - To be completed	when property is held by Individu	ial(s)
Development Agreement (DE Manager of any changes in c	DA) has been approved / executed by to whership during the time the application t thirty days prior to any public hearing lelay in the hearing process.	Agency shall be required for all project parcels for which a Disposition and the City Council. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to on the subject property. Fallure to provide accurate and current ownership Name of Individual (type or print):
Owner Tenant/L	essee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:		Street Address:
	1745-1. 1745-1.	
City/State/Zip:		City/State/Zip:
Phone No:	Fax No:	Phone No: Fax No:
Signature :	Date:	Signature : Date:
Name of Individual (type	or print):	Name of Individual (type or print):
Owner Tenant/Le	ssee / Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
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	n 1997 - Stand Andrewson, Standard and Standard and Standard and Standard and Standard and Standard and Standard	site at www.sandlego.gov/development-services

DS-318 (5-05)

Project Title: Verizon - Sunset Cliffs	Project No. (For City Use Only)
Part II - To be completed when property is held by a corporati	on or partnership
Legal Status (please check):	
Corporation Limited Liability -or- General) What State	Corporate Identification No
By signing the Ownership Disclosure Statement, the owner(s) ack as identified above, will be filed with the City of San Diego on the s the property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants whi in a partnership who own the property). A signature is required of property. Attach additional pages if needed. <b>Note:</b> The applicant is ownership during the time the application is being processed or co Manager at least thirty days prior to any public hearing on the subj information could result in a delay in the hearing process. Addit	aubject property with the intent to record an encumbrance against all persons who have an interest in the property, recorded or o will benefit from the permit, all corporate officers, and all partners a tleast one of the corporate officers or partners who own the a responsible for notifying the Project Manager of any changes in insidered. Changes in ownership are to be given to the Project ect property. Failure to provide accurate and current ownership
Cerperate/Partnership Name (type or print): ST PETERS BY THE SEA LUTHERAN CHURCH	Corporate/Partnership Name (type or print);
X Owner Tenant/Lessee	Cowner Tenant/Lessee
Street Address: 1371 SUNSET CLIFFS BLVD	Street Address: 1371 SUNSEF Cliffs Blvd.
City/State/Zip: SAN DIEGO CA 92107-3845	City/State/Zip: San Diego CA 92107-3845
Phone No: Fax No: (619) 224-2894	Phone No: Fax No: 619 - 224 - 2894
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print): Cathorine Morrow
Tille (type or print): Council President	Tille (type or print): Council Secretary / Office Admin
Signature: G. Mallin Bate: 3/18/2012	Signature: Date: Cathwrit g (Ywyrry 3-12-2012.
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
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Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date;
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Cowner Canant/Lessee	Owner / Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:





Marni Walden Executive Vice President and Chief Operating Officer



Margaret Feldman Vice President - Business Development



Andrew Davies Vice President and Chief Financial Officer



M. Alan Gardner Vice President - Human Resources



Vice President and Chief Technical Officer



William B. Petersen Vice President - General Counsel and Secretary



Tami Erwin Vice President and Chief Marketing Officer

Shankar Arumugavelu Chief Information Officer



Marquett Smith Vice President - Corporate Communications



Nancy Clark President - Northeast Area



President - Midwest Area



President - South Area



Greg Haller President – West Area



Mark Bartolomeo Vice President -Global Enterprise Sales



Christopher Felix Vice President-Federal Government Sales



John Bianchi

Vice President - National Customer Service



Vice President - Midwest Area Customer Service



Eileen M. Creeden Vice President - Northeast Area Customer Service



Vice President - South Area Customer Service



Vice President - West Area Customer Service



Brian Stacy Vice President - Business Service Centers & Government Support

### **Project Chronology**

#### Verizon – Sunset Cliffs View Project No. 266961

Date	Action	Description	City Review Time	Applicant Response Time
1/13/2012	First Submittal	Project Deemed Complete		
2/21/2012	First Assessment Letter		39	
4/20/2012	Second Submittal			59
5/11/2012	Second Assessment Letter		21	
1/4/2013	Third Submittal			238
2/26/2013	Third Assessment Letter		53	
3/4/2013	Fourth Submittal	8		6
3/20/2013	All issues resolved		16	
5/23/2013	Public Hearing – Planning Commission		64	
TOTAL STAFF TIME			193	
TOTAL APPLICANT TIME				303
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission Hearing	496 (in calendar days)	



THE CITY OF SAN DIEGO

#### DATE OF NOTICE: May 9, 2013

# NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING:	May 23, 2013
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:	PLANNED DEVELOPMENT PERMIT (PDP), PROCESS FOUR
<b>PROJECT NUMBER:</b>	266961
PROJECT NAME:	VERIZON – SUNSET CLIFFS VIEW
APPLICANT:	Kerrigan Diehl, PlanCom, Inc., agents representing Verizon Wireless
COMMUNITY PLAN AREA:	Ocean Beach
COUNCIL DISTRICT:	District 2
CITY PROJECT MANAGER: PHONE NUMBER/E-MAIL:	Alex Hempton, Development Project Manager (619) 446-5349 / ahempton@sandiego.gov
I HOIVE HOWIDEN E-WAIL.	(017) 440-55477 anempton@sandreg0.gov

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 Planned Development Permit (PDP), Process 4, for a Wireless Communication Facility (WCF) consisting of two (2) existing 30-foot high parking lot light standards supporting one (1) antenna each and one equipment cabinet. The project is located at 1371 Sunset Cliffs Boulevard, in the St. Peters by the Sea Lutheran Church parking lot, to the south of Point Loma Avenue.

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. Please <u>do not</u> e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at <u>www.sandiego.gov/development-services</u> or in person at the 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 March 29, 2013 and the opportunity to appeal that determination ended April 22, 2013.

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 <u>Support</u> <u>Services at (619) 321-3208</u> at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24002410

Revised 10-4-12 HMD-



### **PHOTO STUDY & KEY MAP**

#### PROPOSAL TO ESTABLISH AND OPERATE A NEW DIGITAL PCS COMMUNICATIONS FACILITY

#### Verizon Wireless "Sunset Cliffs View"

1371 Sunset Cliffs Blvd. San Diego, CA 92107

Prepared for: City of San Diego Development Services Department 1222 First Avenue San Diego, CA 92101

Prepared by:

PlanCom, Inc. Contractor Representatives for Verizon Wireless

302 State Place Escondido, CA 92029 Contact: Shelly Kilbourn, Planning Consultant (619) 223-1357

April 29, 2013





North Elevation



Northeast Elevation



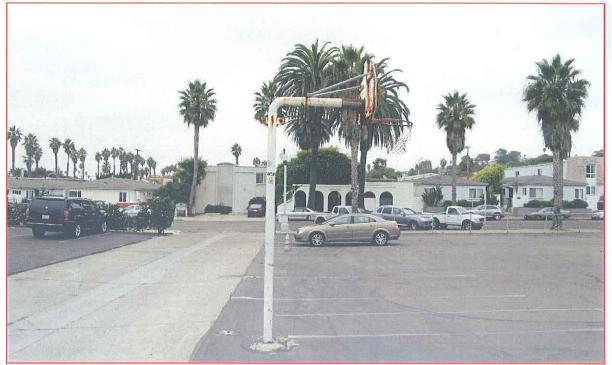


South Elevation



#### Northwest Elevation





North View



East View





South View



West View





Surrounding Aerial View