

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

September 19, 2013

REPORT NO. PC-13-112

ATTENTION:

Planning Commission, Agenda of September 26, 2013

SUBJECT:

VERIZON - OAKS NORTH

PROJECT NO. 310809. PROCESS 4.

OWNER/

OAKS NORTH COMMUNITY CENTER, INC./

APPLICANT:

VERIZON WIRELESS

SUMMARY

<u>Issue</u>: Should the Planning Commission approve a Wireless Communication Facility (WCF) at 12578 Oaks North Drive, within the Rancho Bernardo community plan area?

<u>Staff Recommendation</u>: APPROVE Neighborhood Use Permit No. 1182839, Neighborhood Development Permit No. 1182840, and Planned Development Permit No. 1182841.

Community Planning Group Recommendation: At the June 20, 2013 meeting of the Rancho Bernardo Community Planning Board, the group voted not to approve the project until lease issues with the landlord are resolved. (Attachment 15)

Environmental Review: This project was evaluated pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt from CEQA, per State Guidelines, Sections 15303 (New Construction or Conversion of Small Structures). The environmental exemption determination was made on July 31, 2013 and the opportunity to appeal that determination ended August 14, 2013.

<u>Fiscal Impact Statement</u>: 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

This project is an application for a Neighborhood Use Permit (NUP), Neighborhood Development Permit (NDP), and Planned Development Permit (PDP), Process 4, for a Wireless Communication Facility (WCF). The project consists of a new 52-foot tall faux pine tree ("monopine"), supporting 12 panel antennas and one microwave dish, along with a 451-square foot equipment enclosure with an emergency generator. The project is located at 12578 Oaks North Drive, in the Rancho Bernardo community plan area, in the RS-1-14 zone (Attachments 1, 2, 3, and 4).

WCFs are permitted with a NUP when located in a residential zone, with a non-residential use, where the antennas are more than 100 feet from the property line of a residential use, day care, elementary school, or middle school, pursuant to San Diego Municipal Code (SDMC) Section 141.0420(d)(2).

The project requests two deviations, which are processed with the NDP and PDP. The NDP permits the equipment enclosure to exceed the 250-square foot maximum size permitted by the WCF Design Requirements, SDMC Section 141.0420(g)(3). The PDP allows the monopine to exceed the RS-1-14 zone 35-foot height limit. At 52-feet tall, the monopine exceeds the zone height limit by 17 feet.

Cricket, Sprint, and AT&T also operate WCFs on this property. Sprint antennas are located on an adjacent clubhouse building, while Cricket and AT&T are collocated on a nearby monopine.

WCF are permitted as faux trees when existing or proposed trees of a similar size and species are present (SDMC Section 141.0420(g)(6)). The proposed monopine is situated in a grove of existing pine trees adjacent to the existing clubhouse building. Three additional live pine trees are proposed to further screen and integrate the monopine where gaps in screening exist.

Community Plan Analysis:

The Rancho Bernardo Community Plan does not specifically address WCFs, however the City's General Plan addresses WCFs in UD-A.15 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.

The project complies with the General Plan recommendations by utilizing a camouflage

technique, in this case a faux tree, to integrate the wireless facility with the surroundings. Proposed and existing live trees adjacent to the monopine help to screen and blend the facility in with the surrounding neighborhood.

Conclusion:

With the exception of the two requested deviations, 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 NUP No. 1182839, NDP No. 1182840, and PDP No. 1182841.

ALTERNATIVES

- 1. Approve NUP No. 1182839, NDP No. 1182840, and PDP No. 1182841, with modifications.
- 2. Deny NUP No. 1182839, NDP No. 1182840, and PDP No. 1182841, 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

Acting Deputy Director

Development Services Department

Alex Hempton, AICP

Development Project Manager

Development Services Department

TOMLINSON/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 (Environmental) Exemption
- 8. Photo Simulations
- 9. Site Justification and Coverage Maps
- 10. Photographic Survey
- 11. Project Plans
- 12. Ownership Disclosure Statement
- 13. Project Chronology
- 14. Notice of Planning Commission Hearing
- 15. Community Group Minutes





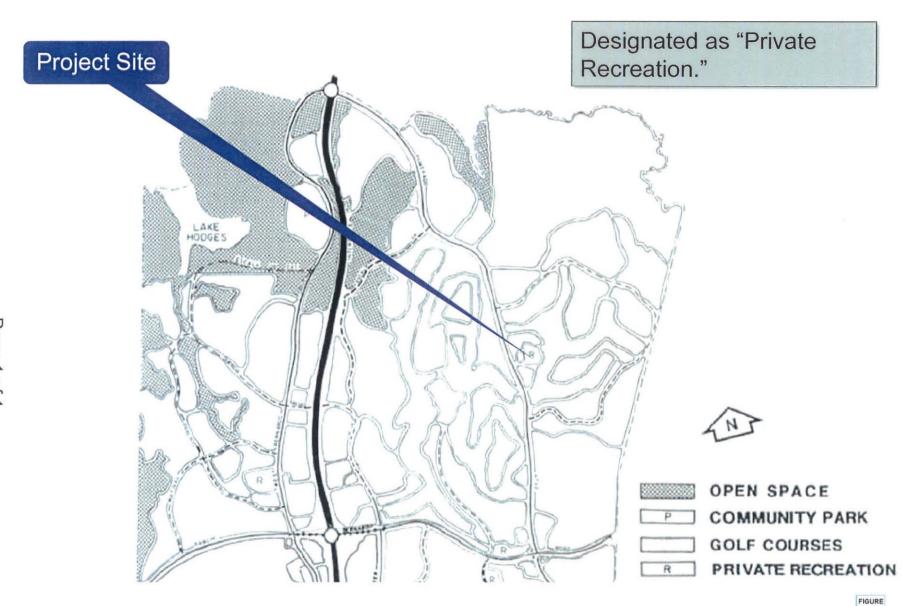


Aerial Photo

<u>Verizon – Oaks North – Project Number 310809</u>

12578 Oaks North Drive

14

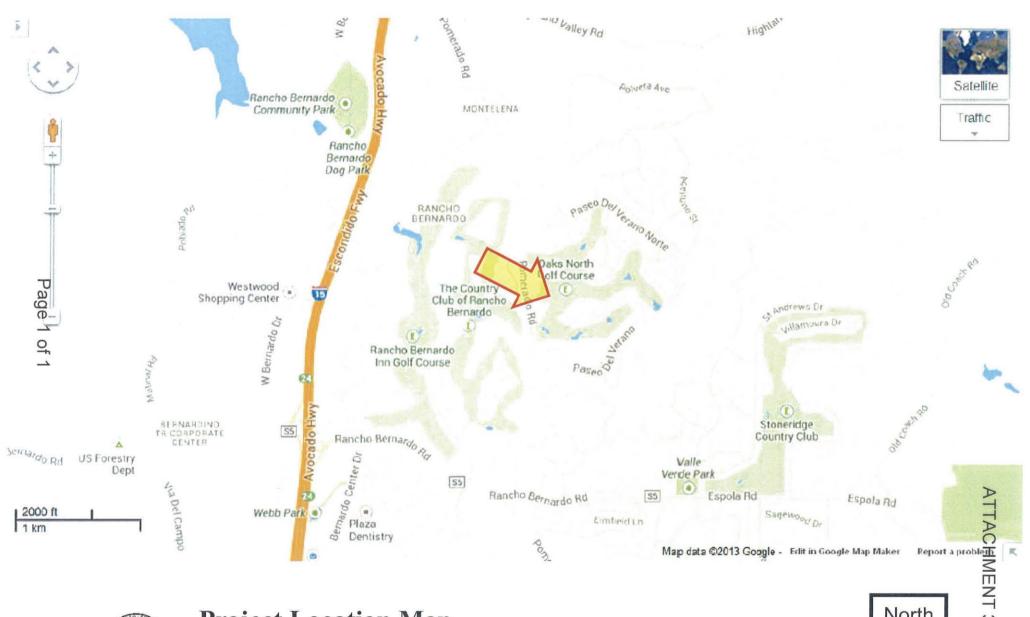




Community Plan Land Use Designation

<u>Verizon - Oaks North - Project Number 310809</u>

12578 Oaks North Drive





Project Location Map

Verizon - Oaks North - Project Number 310809

12578 Oaks North Drive



PROJECT DATA SHEET		
PROJECT NAME:	Verizon – Oaks North	
PROJECT DESCRIPTION:	Wireless Communication Facility (WCF) consisting of a 52-foot tall monopine supporting 12 panel antennas and one microwave dish. Equipment is proposed adjacent to the monopine in an enclosure.	
COMMUNITY PLAN AREA:	Rancho Bernardo	
DISCRETIONARY ACTIONS:	NUP, NDP, and PDP (Process 4)	
COMMUNITY PLAN LAND USE DESIGNATION:	Private Recreation	

ZONING INFORMATION:

ZONE: RS-1-14

HEIGHT LIMIT: 35' FRONT SETBACK: 15' SIDE SETBACK: 4' REAR SETBACK: 10'

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential, RM-1-1	Residential/Golf Course
SOUTH:	Residential, RS-1-14	Residential/Golf Course
EAST:	Residential, RS-1-14	Residential/Golf Course
WEST:	Commercial, CN-1-2	Commercial
DEVIATIONS OR VARIANCES REQUESTED:	Deviation to the RS-1-14 zone 35-foot height limit and deviation to the WCF Design Requirements, LDC Section 141.0420(g)(3) which limits equipment square footage to 250 square feet.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Rancho Bernardo Planning Board, at their June 20, 2013 meeting, voted not to approve the project at this time.	

PLANNING COMMISSION RESOLUTION NO. PC-XXXX NEIGHBORHOOD USE PERMIT NO. 1182839 NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1182840 PLANNED DEVELOPMENT PERMIT NO. 1182841 VERIZON – OAKS NORTH PROJECT NUMBER 310809

WHEREAS, the OAKS NORTH COMMUNITY CENTER, INC., 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 Exhibit "A" and corresponding conditions of approval for the associated Permit Nos. 1182839, 1182840, and 1182841);

WHEREAS, the site is located at 12578 Oaks North Drive of the RS-1-14 zone of the Rancho Bernardo Community Plan;

WHEREAS, the project site is legally described as: Lot 5 of Oaks North Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 7186, filed in the Office of the County Recorder of San Diego County, January 25, 1972;

WHEREAS, on July 31, 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 15303 (New Construction) 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 September 26, 2013, the Planning Commission of the City of San Diego considered Neighborhood Use Permit No. 1182839, Neighborhood Development Permit No. 1182840, and Planned Development Permit No. 1182841 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 September 26, 2013:

FINDINGS:

Neighborhood Use Permit - Section 126.0205

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

While the Rancho Bernardo Community Plan does not specifically address WCFs, the City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. This project proposes

to camouflage antennas on a 52-foot tall faux pine tree, referred to as a "monopine." The proposed faux tree is situated in a grove of existing pine trees. Three additional live pine trees will be planted to fill-in gaps in the landscape screening. Equipment associated with the facility is located adjacent to the faux tree and will be minimally visible from the public right-of-way and adjacent properties due to existing vegetation. Based on the design of this project, the WCF will not adversely affect the applicable land use plans.

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

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require that Verizon Wireless perform a model RF test and submit the findings in a report to the City of San Diego prior to the issuance of a building permit. (Note: This condition 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 applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

This project complies with the regulations of the WCF Regulations, LDC Section 141.0420, with the exception of the size of the equipment area square footage. The equipment area, at 451square feet, exceeds the 250-square foot maximum permitted by the WCF Design Requirements. LDC Section 141.0420(g)(3). The additional square footage allows for the necessary equipment to operate the antennas at full capacity and to accommodate space for an emergency generator. The deviation to the equipment area maximum size is being permitted with this Neighborhood Development Permit. In addition, the monopine height, at 52-feet, exceeds the RS-1-14 zone 35foot height limit. The height deviation is being permitted with this Planned Development Permit. WCF are permitted in residential zones, with a non-residential use, where the antennas are more than 100-feet from the property line of a residential use, day care, elementary school, or middle school, with the processing of a Neighborhood Use Permit. The design of the proposed WCF, as a faux pine tree, or "monopine," is appropriate in this setting. The monopine is surrounded by existing mature pine trees. Additionally, three live pine trees are proposed to fill-in gaps in the screening. Equipment associated with the antennas, and an emergency generator, are located in an enclosure adjacent to the monopine. WCF are permitted as faux landscape, such as the proposed monopine, when existing or proposed live trees, of a similar size and species are provided. WCF are required to be minimally visible, utilizing architecture, landscape, and siting solutions. In this case, the design of the WCF complies with these regulations. The requested deviations are acceptable, as existing trees of a similar height exist surrounding the monopine, and effectively screen and integrate the WCF with the surrounding neighborhood. Landscape screening is provided between the proposed equipment enclosure and the public right-of-way and adjacent properties and will be minimally visible, even at a size greater than the maximum permitted by the regulations. The requested height of the proposed monopine will allow Verizon

to meet its coverage objective and possibly reduce the number of additional WCFs required to provide coverage in this area. The increased equipment area accommodates space for an emergency generator and allows noise features to be added to comply with noise requirements. The proposed project complies with the applicable regulations, and the allowable deviations permitted with these permits.

Neighborhood Development Permit - Section 126.0404

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

While the Rancho Bernardo Community Plan does not specifically address WCFs, the City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. This project proposes to camouflage antennas on a 52-foot tall faux pine tree, referred to as a "monopine." The proposed faux tree is situated in a grove of existing pine trees. Three additional live pine trees will be planted to fill-in gaps in the landscape screening. Equipment associated with the facility is located adjacent to the faux tree and will be minimally visible from the public right-of-way and adjacent properties due to existing vegetation. Based on the design of this project, the WCF will not adversely affect the applicable land use plans.

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

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require that Verizon Wireless perform a model RF test and submit the findings in a report to the City of San Diego prior to the issuance of a building permit. (Note: This condition 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 applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

This project complies with the regulations of the WCF Regulations, LDC Section 141.0420, with the exception of the size of the equipment area square footage. The equipment area, at 451-square feet, exceeds the 250-square foot maximum permitted by the WCF Design Requirements, LDC Section 141.0420(g)(3). The additional square footage allows for the necessary equipment to operate the antennas at full capacity and to accommodate space for an emergency generator. The deviation to the equipment area maximum size is being permitted with this Neighborhood Development Permit. In addition, the monopine height, at 52-feet, exceeds the RS-1-14 zone 35-

foot height limit. The height deviation is being permitted with this Planned Development Permit. WCF are permitted in residential zones, with a non-residential use, where the antennas are more than 100-feet from the property line of a residential use, day care, elementary school, or middle school, with the processing of a Neighborhood Use Permit. The design of the proposed WCF, as a faux pine tree, or "monopine," is appropriate in this setting. The monopine is surrounded by existing mature pine trees. Additionally, three live pine trees are proposed to fill-in gaps in the screening. Equipment associated with the antennas, and an emergency generator, are located in an enclosure adjacent to the monopine. WCF are permitted as faux landscape, such as the proposed monopine, when existing or proposed live trees, of a similar size and species are provided. WCF are required to be minimally visible, utilizing architecture, landscape, and siting solutions. In this case, the design of the WCF complies with these regulations. The requested deviations are acceptable, as existing trees of a similar height exist surrounding the monopine, and effectively screen and integrate the WCF with the surrounding neighborhood. Landscape screening is provided between the proposed equipment enclosure and the public right-of-way and adjacent properties and will be minimally visible, even at a size greater than the maximum permitted by the regulations. The requested height of the proposed monopine will allow Verizon to meet its coverage objective and possibly reduce the number of additional WCFs required to provide coverage in this area. The increased equipment area accommodates space for an emergency generator and allows noise features to be added to comply with noise requirements. The proposed project complies with the applicable regulations, and the allowable deviations permitted with these permits.

Planned Development Permit - Section 126.0604

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

While the Rancho Bernardo Community Plan does not specifically address WCFs, the City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. This project proposes to camouflage antennas on a 52-foot tall faux pine tree, referred to as a "monopine." The proposed faux tree is situated in a grove of existing pine trees. Three additional live pine trees will be planted to fill-in gaps in the landscape screening. Equipment associated with the facility is located adjacent to the faux tree and will be minimally visible from the public right-of-way and adjacent properties due to existing vegetation. Based on the design of this project, the WCF will not adversely affect the applicable land use plans.

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

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require that Verizon Wireless perform a model RF test and submit the findings in a report to the City of

San Diego prior to the issuance of a building permit. (Note: This condition 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 including any proposed deviations pursuant to Section 126.0602(b)(1) that 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, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

This project complies with the regulations of the WCF Regulations, LDC Section 141,0420, with the exception of the size of the equipment area square footage. The equipment area, at 451square feet, exceeds the 250-square foot maximum permitted by the WCF Design Requirements. LDC Section 141.0420(g)(3). The deviation to the equipment area maximum size is being permitted with this Neighborhood Development Permit. In addition, the monopine height, at 52feet, exceeds the RS-1-14 zone 35-foot height limit. The height deviation is being permitted with this Planned Development Permit. WCF are permitted in residential zones, with a non-residential use, where the antennas are more than 100-feet from the property line of a residential use, day care, elementary school, or middle school, with the processing of a Neighborhood Use Permit. The design of the proposed WCF, as a faux pine tree, or "monopine," is appropriate in this setting. The monopine is surrounded by existing mature pine trees. Additionally, three live pine trees are proposed to fill-in gaps in the screening. Equipment associated with the antennas, and an emergency generator, are located in an enclosure adjacent to the monopine. WCF are permitted as faux landscape, such as the proposed monopine, when existing or proposed live trees, of a similar size and species are provided. WCF are required to be minimally visible, utilizing architecture, landscape, and siting solutions. In this case, the design of the WCF complies with these regulations. The requested deviations are acceptable, as existing trees of a similar height exist surrounding the monopine, and effectively screen and integrate the WCF with the surrounding neighborhood. The deviations result in a more desirable project by allowing Verizon to meet its coverage objectives by allowing the proposed monopine height, and provide emergency backup power, by allowing the additional equipment area square footage for a generator. The overall project will provide more reliable wireless coverage to the surrounding neighborhood in a way that is visually compatible. Landscape screening is provided between the proposed equipment enclosure and the public right-of-way and adjacent properties and will be minimally visible, even at a size greater than the maximum permitted by the regulations. The requested height of the proposed monopine will allow Verizon to meet its coverage objective and possibly reduce the number of additional WCFs required to provide coverage in this area. The increased equipment area accommodates space for an emergency generator and allows noise features to be added to comply with noise requirements. The proposed deviations are appropriate for this location, based on the proposed design, and result in a more desirable project than if designed in strict conformance with the regulations.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, NEIGHBORHOOD USE PERMIT NO. 1182839, NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1182840, and PLANNED DEVELOPMENT PERMIT NO. 1182841 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms

ATTACHMENT 5

and conditions as set forth in Permit Nos. 1182839, 1182840, and 1182841, a copy of which is attached hereto and made a part hereof.

Alexander Hempton, AICP Development Project Manager Development Services

Adopted on: September 26, 2013

Internal Order No. 24003535

RECORDING REQUESTED BY

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

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003535

NEIGHBORHOOD USE PERMIT NO. 1182839
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1182840
PLANNED DEVELOPMENT PERMIT NO. 1182841
VERIZON – OAKS NORTH
PROJECT NUMBER 310809

This NEIGHBORHOOD USE PERMIT NO. 1182839, NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1182840, and PLANNED DEVELOPMENT PERMIT NO. 1182841 are granted by the Planning Commission of the City of San Diego to the OAKS NORTH COMMUNITY CENTER, INC., Owner, and VERIZON WIRELESS, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420, 126.0201, 126.0401, and 126.0601. The site is located at 12578 Oaks North Drive of the RS-1-14 zone of the Rancho Bernardo Community Plan. The project site is legally described as: Lot 5 of Oaks North Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 7186, filed in the Office of the County Recorder of San Diego County, January 25, 1972.

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 September 26, 2013, on file in the Development Services Department.

The project shall include:

- a. A 52-foot tall faux tree, or "monopine," supporting the following antennas:
 - a. One (1) 2' diameter microwave dish;
 - b. Six (6) panel antennas with the following dimensions: 71" by 11.2" by 5.2";
 - c. Six (6) panel antennas with the following dimensions: 72.4" by 6.1" by 4.1";
- b. Two deviations are permitted with this permit:

- 1. The monopine, at 52-feet tall, deviates from the RS-1-14 zone 35-foot height limit by 17 feet.
- 2. The equipment enclosure, at 451 square-feet, deviates from the 250-square foot maximum permitted by LDC Section 141.0420(g)(3) by 201 square-feet.
- c. Landscaping (planting, irrigation and landscape related improvements) as shown on Exhibit "A";
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.
- e. This structure is for the dual and equal purposes of providing landscape screening and camouflage, in addition to accommodating the Permittee's Operations on the Premises.

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 October 10, 2016.
- 2. This permit and corresponding use of this site shall expire on October 10, 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 Owner/Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for 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 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 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.

ENGINEERING REQUIREMENTS:

- 14. The project proposes to export 87 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 15. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 16. Prior to the issuance of any construction permit, the Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 17. 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.
- 18. 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.

LANDSCAPE REQUIREMENTS:

19. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The

construction documents shall be in substantial conformance with Exhibit "A," on file in the Office of the Development Services Department.

- 20. Prior to issuance of any Certificate of Occupancy or activation of the WCF, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections.
- 21. The Owner/Permittee shall maintain all landscape 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.
- 22. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to Final Landscape Inspection.

PLANNING/DESIGN REQUIREMENTS:

- 23. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 24. All proposed hand-holes shall be covered with bark material to match the monopine trunk to the satisfaction of the Development Services Department.
- 25. Branches shall extend a minimum of 24-inches beyond the face of the proposed antennas to the satisfaction of the Development Services Department.
- 26. Starting branch height shall be no lower than 11-feet, as illustrated on the stamped, approved Exhibit "A."
- 27. All exposed cables, brackets and supports shall be painted to match the faux tree foliage to the satisfaction of the Development Services Department.
- 28. Radio-frequency transparent "socks" fully covering the front and back of the antennas (and any other components) shall be installed.
- 29. The Owner/Permittee is required to provide color samples of the faux tree prior to Building Permit issuance. This is to ensure that the proposed faux tree integrates with the surrounding landscape. Staff will pre-approve the color sample prior to Building Permit issuance. The exact faux tree color exhibit will be used during the FINAL INSPECTION. The color approved by Planning Staff must be identical to the as-built faux tree.

Page 5 of 8

- 30. 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.
- 31. 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.
- 32. The Owner/Permittee shall notify the City within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational requiring the removal and the restoration of this site to its original condition.
- 33. 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."
- 34. No overhead cabling is allowed for this project.
- 35. Exposed mounting apparatus shall be removed and shall not remain on the monopine absent antennas.
- 36. The Owner/Permittee shall not cause or allow the antennas located on the monopine to be different sizes (length, width, or height) than as shown on the stamped approved plans.
- 37. The WCF shall conform to Exhibit "A" (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.
- 38. Prior to the issuance of a construction permit, the telecommunication provider shall provide a certified cumulative radio frequency model study demonstrating compliance with the Federal Communications Commission's Radio Frequency Guidelines. All significant contributors to the ambient RF environment should be considered in the radio frequency model study.
- 39. 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.
- 40. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHA/FCC to the satisfaction of the Development Services Department.

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 September 26, 2013 and [Approved Resolution Number].



Permit Type/PTS Approval No.: NUP No. 1182839, NDP No. 1182840, and PDP No. 1182841 Date of Approval: 9/26/2013

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.



Owner

y _____ NAME TITLE

VERIZON WIRELESS

Permittee

By_____ NAME TITLE

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



THE CITY OF SAN DIEGO

Date of Notice: July 31, 2013

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

Internal Order No. 24003535

PROJECT NAME/NUMBER: Verizon Oaks North/Project No. 310809 **COMMUNITY PLAN AREA:** Rancho Bernardo Community Planning Area

COUNCIL DISTRICT: 5

LOCATION: 12578 Oaks North Drive, San Diego, CA 92128

PROJECT DESCRIPTION: PLANNED DEVELOPMENT PERMIT (PDP) and NEIGHBORHOOD USE PERMIT (NUP) for a wireless communication facility consisting of twelve panel antennas and one microwave dish mounted to a new 52-foot high monopine, and a new equipment enclosure. The project is located at 12578 Oaks North Drive at the Oaks North Community Center. The project is located within the RS-1-14 zone and the Rancho Bernardo Community Plan area, within Council District 5.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Planning Commission (Process 4).

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA Guidelines, Section 15303 (New Construction).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego Development Services Department staff.

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project has been determined to be exempt from CEQA pursuant to Section 15303. Section 15303 allows the construction and location of limited numbers of new, small facilities or structures. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore this exemption is applicable to the proposed project.

CITY CONTACT: MAILING ADDRESS: Alex Hempton, Development Project Manager

1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER: (619) 446-5349

On July 31, 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 of San Diego City Council. If you have any questions about this determination, contact the 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 10 business days from the date of the posting of this Notice (August 14, 2013). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

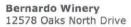
This information will be made available in alternative formats upon request.



Photosimulation of proposed telecommunications site

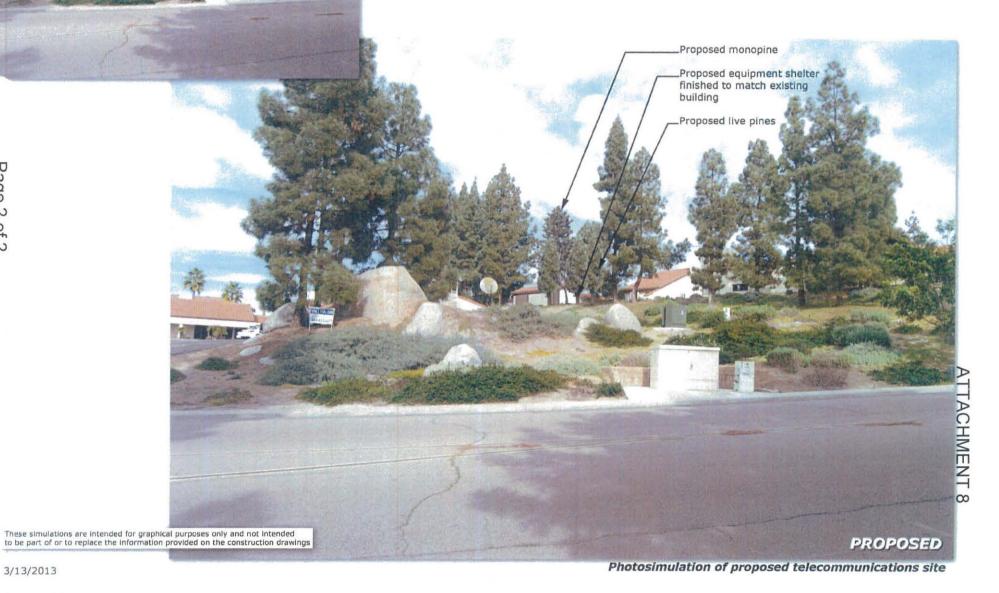






San Diego, CA 92128

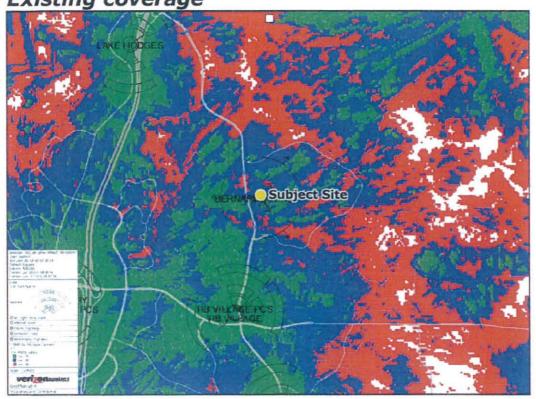


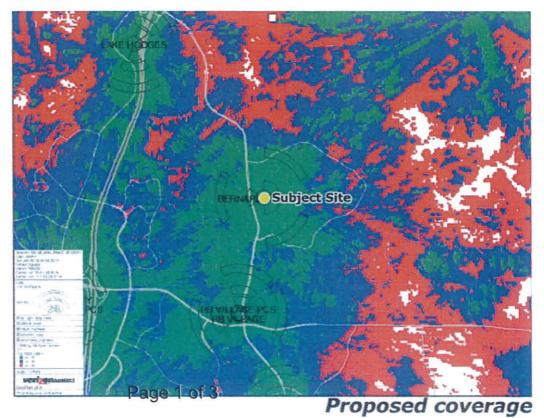




verizonwireless

Existing coverage











Legend







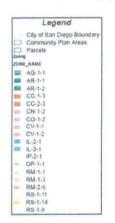
Existing sites within 1 mile radius:

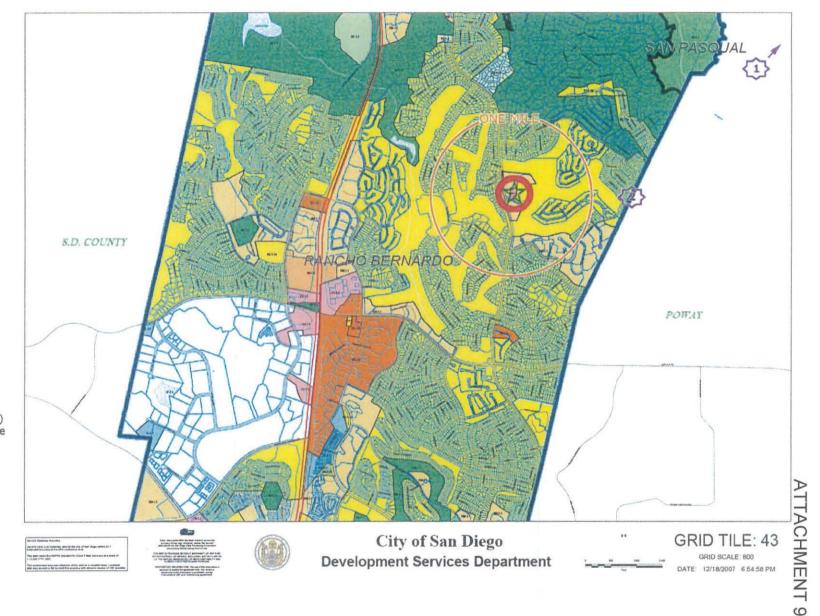
None



Heritage Water Tank Heritage Drive Poway, CA 92064

Bernardo Winery (Winery) 13330 Paseo Verano Norte San Diego, CA 92128





PLANCOME

Telecommunications Project Management

January 28, 2013 VZW – "Bernardo Winery"

Sent Via Hand Delivery

Ms. Karen Lynch-Ashcraft CITY OF SAN DIEGO 1222 First Avenue, 5th Floor San Diego, CA 92101

Re:

Verizon Wireless - "Bernardo Winery"

Dear Ms. Lynch-Ashcraft:

We are submitting the attached application and supporting documentation in order to be considered for a Planned Development Permit, Process 4 for a wireless communications facility located at 12578 Oaks North Drive, San Diego, CA 92128. The site is currently developed with the Oaks North Community Center's complex, zoned RS-1-14 and located within the Rancho Bernardo community planning area.

The project consists of the installation of (12) panel antennas configured in 3 sectors of 4 antennas each mounted to a new 52' stealth designed monopine. The rad center is positioned at 44" and the associated 2' MW dish is located directly below at 37'. The associated equipment will be located within a 14'-0" x 31'-4" equipment enclosure complete with stucco finish to match the adjacent building.

Given the coverage objectives and in keeping with current equipment standards we have located this WCFs proposal on a Preference 2 location with an established telecom use however the equipment space exceeds the 250 square foot requirement and the pine itself exceeds the height limit for residential zones and therefore requires a Process 4 – Development Permit. Although a deviation is required, we believe the design is consistent with existing stealth trees in the immediate area and visually integrates with the existing mature landscape on site.

We appreciate your assistance with this project. I will be the contact person for this project, therefore, if you have any questions or need additional information, please contact me directly at (619) 223-1357.

Sincerely,



Shelly Kilbourn, Land Use Consultant Agent for Verizon Wireless Enclosures

302 State Place

Escondido, CA 92029

619-208-4685 mobile

760-735-4913 fax



PHOTO STUDY & KEY MAP

PROPOSAL TO ESTABLISH AND OPERATE A NEW DIGITAL PCS COMMUNICATIONS FACILITY

Verizon Wireless "Bernardo Winery" 12578 Oaks North Drive San Diego, CA 92128

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

January 24, 2013





North Elevation

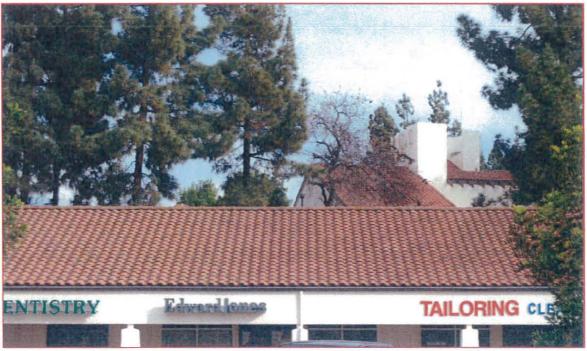


East Elevation





South Elevation



West Elevation





Looking North



Looking East



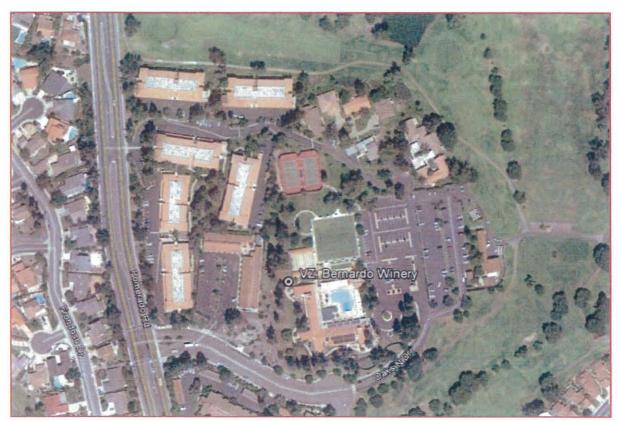


Looking South



Looking West





Aerial View

ARCHITECTURE : INCORPORATED 395 CARISDAD VILLAGE DRIVE

PREPARED FOR

veri70n wireless

P.O. BOX 19707 IRVINE, CA 92623-9707 (949) 286-7000

APPROVALS

DATE

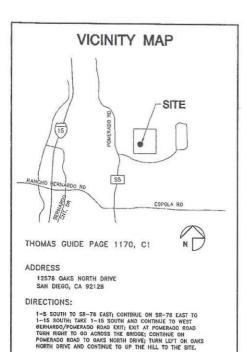
DATE

DATE

DATE



BERNARDO WINERY 12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 AKA OAKS NORTH



FCC COMPLIANCE STATEMENT

THE WIRELESS COMMUNICATION FACILITY COMPLIES WITH FEDERAL STANDARDS FOR RADIO FREQUENCY IN ACCORDANCE WITH THE TELECOMMUNICATION ACT OF 1996 AND SUBSEQUENT AMENOMENTS AND ANY OTHER REQUIREMENTS IMPOSED BY STATE OR FEDERAL REQUILATORY AGENCIES.

ENERGY NOTE:

0% FROM ON-SITE RENEWABLE POWER SOURCE

CONSULTANT TEAM

ARCHITECT:

BOOTH & SUAREZ ARCHITECTURE, INC. 325 CARLSBAD VILLAGE DRIVE, SUITE D2 CARLSBAD, CA 92008 (760) 434-8596 (FAX)

SURVEYOR:

JRN CIVIL ENGINEERS 232 AVENIDA FABRICANTE, SUITE 107 SAN CLEMENTE CA 92672 (949) 248-4685

LEASING/PLANNING:

FLANCOM, INC. BRENT HELMING 302 STATE PLACE ESCONDIDO, CA 92029 (760) 533-6065

TYPE OF PERMIT REQUIRED:

PROCESS 4 PLANNED DEVELOPMENT PERMIT

· AND NEIGHBORHOOD USE PERMI

SCALE

THE ORAWING SCALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE ONLY WHEN THESE DRAWINGS ARE PRINTED IN A 24" x 36" FORMAT. IF THIS DRAWING SET IS NOT 24" x 36", THIS SET IS NOT 10 SCALE, ALL DRAWINGS ARE SCHEMATIC, DO NOT SCALE DRAWINGS TO DETERMINE OR VERIFY ANY DIMENSIONS. DRAWINGS OF AMY SIZE SHALL NEVER BE SCALED FOR ANYTHING OTHER THAN GENERAL REFERENCE.

PROJECT SUMMARY

APPLICANT: WENZON WIRELESS

1 5505 SAND CANYON AVENUE IRVNE, CA 92618

CONTACT: BRENT HELMING PHONE: (760) 533-6065

DAIS NORTH COMMUNITY CENTER INC \$2578 CLAKS NORTH DRIVE SAN DIEGO, CA 92128

CONTACY: ORLANDO URIBE - MANAGER PHONE: (858) 487-0120

- PROPOSED VERZON WIRELESS TELECOMMUNICATIONS EQUIPMENT INSIDE A NEW STICK BUILT BUILDING WITH STUCCO FINISH AND A TILE ROOF ON A CONCRETE PAD. FINISH TO MATCH EXISTING STORAGE BUILDINGS.
- INSTALLATION OF THREE (3) VERIZON WIRELESS ANTENNA SECTORS, OF FOUR (4) ANTENNAS EACH (TOTAL OF TWELVE (12) ANTENNAS (4) MOUNTED TO A NEW S2-0- HIGH MONOPINE. (6) 71" LENGTH x 11.2" WIDTH x 5.2" DEPTH (6) 72.4" LENGTH X 6.1" WIDTH X 1.4" DEPTH
- INSTALLATION OF TWO (2) VERIZON WIRELESS RRU UNITS PER SECTOR (TOTAL OF SIX (6) RRU'S) MOUNTED TO PROPOSED 52'-0" HIGH MICHOPINE,
- INSTALLATION OF ONE (1) VERIZON WIRELESS 2'-0"# MICROWAVE DISH (FOR TELECO SERVICE FEED) MOUNTED TO PROPOSED 52'-0" HIGH MONOPINE.
- INSTALLATION OF A 30kW ENCLOSED EMERGENCY GENERATOR WITH A 150 GALIDN DIESEL TANK ON A CONCRETE PAD WITH A CONTAINMENT CURB INSIDE A NEW CONCRETE BLOCK WALL SOUND ATTENUATION BUILDING
- INSTALLATION OF TWO (2) VERIZON WIRELESS E/911 GPS
 ANTENNAS
- INSTALLATION OIF NEW COAXIAL CABLE IN AN UNDERGROUND TRENCH BETWEEN THE PROPOSED MONOPINE AND THE PROPOSED YERIZON WIRELESS EQUIPMENT ENCLOSURE
- INSTALLATION OF NEW 200 AMP ELECTRICAL METER WITH UNDERGROUND ELECTRICAL CONDUIT FEED FROM EXISTING SDG&E TRANSFORMER

PROJECT ADDRESS: SAN DIEGO, CA 92128 ASSESSORS PARCEL NUMBER: 273-670-08-00 EXISTING ZONING: RS-1-14 RESIDENTIAL TOTAL SITE AREA:

451 SQ. FT.

PROPOSED AREA: EQUIPMENT BUILDING:

PROPOSED OCCUPANCY: V-B

F.A.R.: 0.07

Page 1 of 12

NOTE: THERE ARE THREE EXISTING TELECOMMUNICATIONS FACILITIES ON THIS SITE (CIRCKET, AT&T, SPRINT)

SHEET SCHEDULE

T-1 TITLE SHEET & PROJECT DATA

ENLARGED SITE PLAN

POOF PLAN

A-3

LÁNDSCAPE DEVELOPMENT PLAN

PLANTING LEGEND L-2 TOPOGRAPHIC SURVEY C-2 TOPOGRAPHIC SURVEY

LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CAUFORNIA, DESCRIBED AS FOLLOWS:

APPLICABLE CODES

ALL WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES: CALIFORNIA STATE BUILDING CODE, TITLE 24, 2010 EDITION CALIFORNIA PLUMBING CODE, 2010 EDITION CALIFORNIA MECHANICAL CODE, 2010 EDITION CALIFORNIA ELECTRICAL CODE. 2010 EDITION CALIFORNIA FIRE CODE, 2010 EDITION CALIFORNIA ENERGY CODE, 2010 EDITION

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL

ACCESSIBILITY DISCLAIMER

THIS PROJECT IS AN UNOCCUPIED WIRELESS PCS TELECOMMUNICATIONS FACILITY AND, ACCORDING TO WRITTEN INTERPRETATION FROM THE CALIFORNIA DEPARTMENT OF THE STATE ARCHITECT, IS EXEMPT FROM DISABLED ACCESS REQUIREMENTS.

SITE PLAN A-1

EQUIPMENT FLOOR PLAN A-2

EXTERIOR ELEVATIONS

EXTERIOR ELEVATIONS

A-6 MONOPINE ELEVATION, ANTENNA PLAN & DETAILS

WINERY

12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 SAN DIEGO COUNTY

PROJECT NAME

BERNARDO

EE/OUT

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REVISED 100% ZO (se)

REVISED 100% ZO (rd)

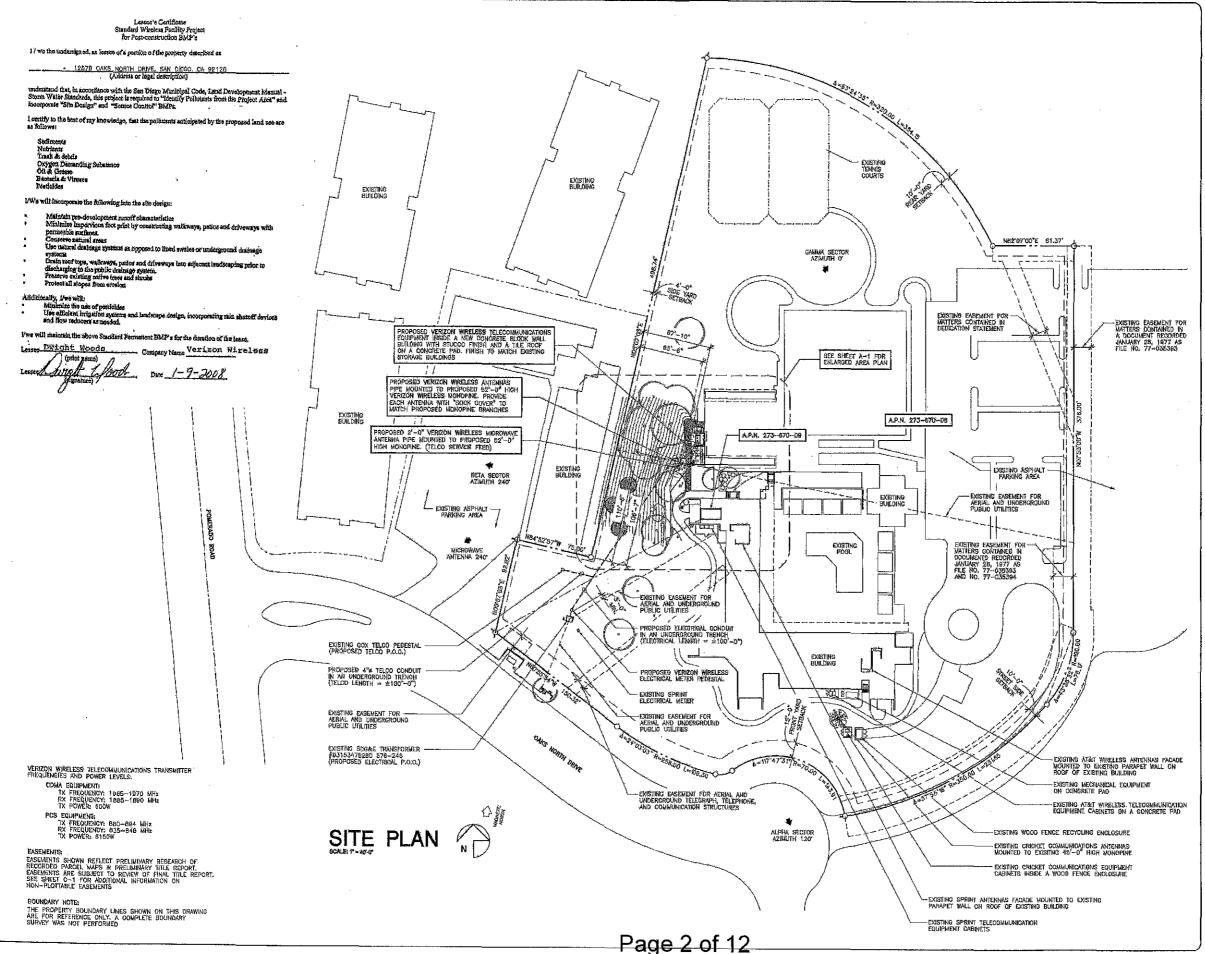
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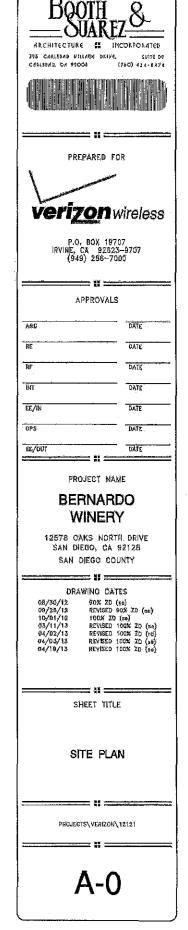
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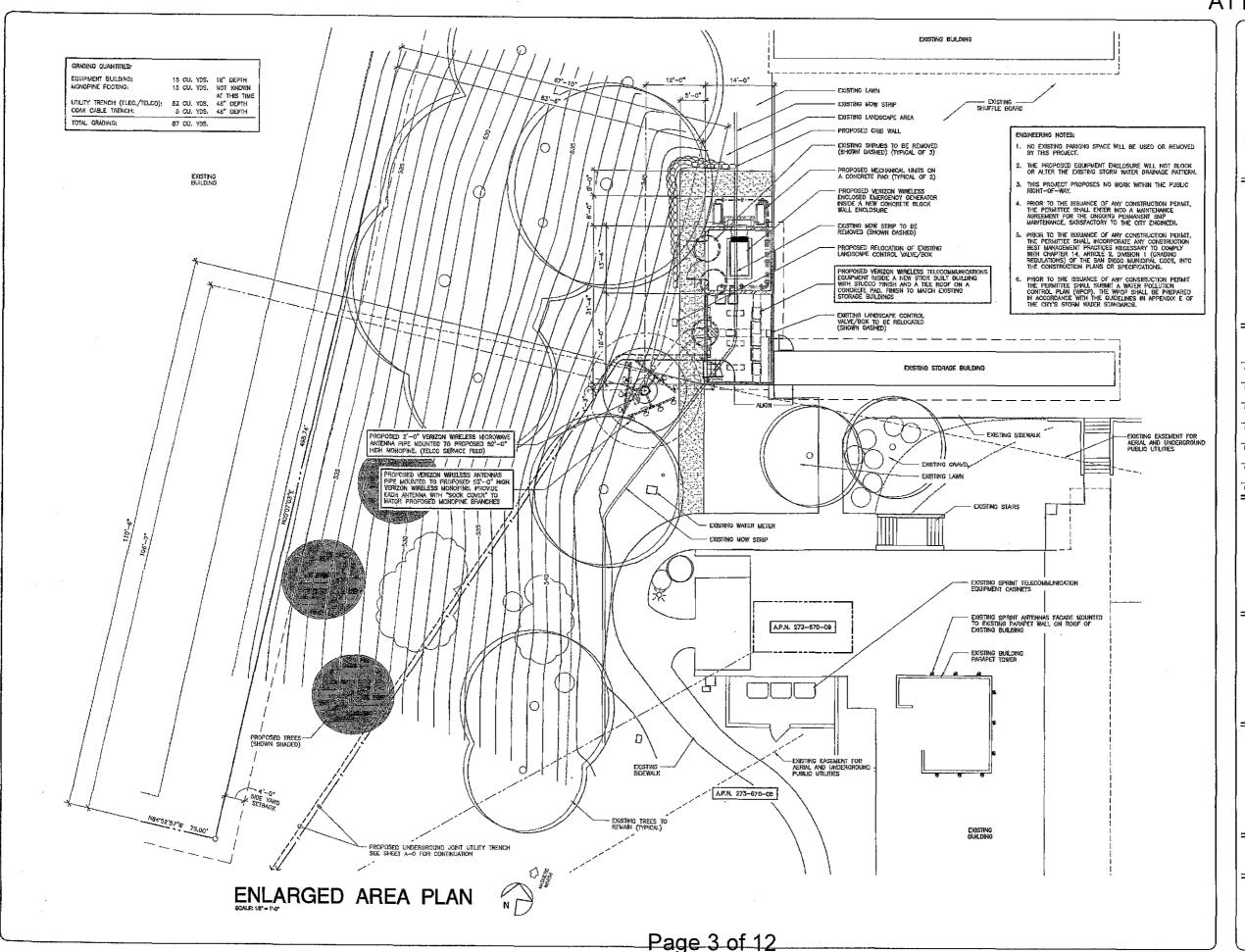
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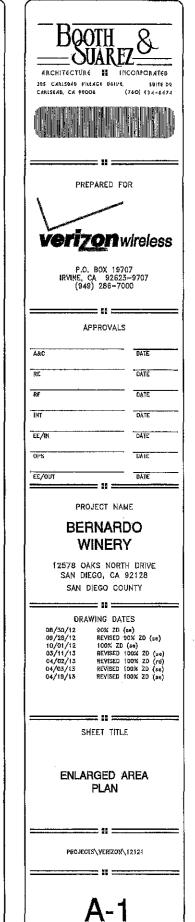
PROJECTS\ VERIZON\ 12121

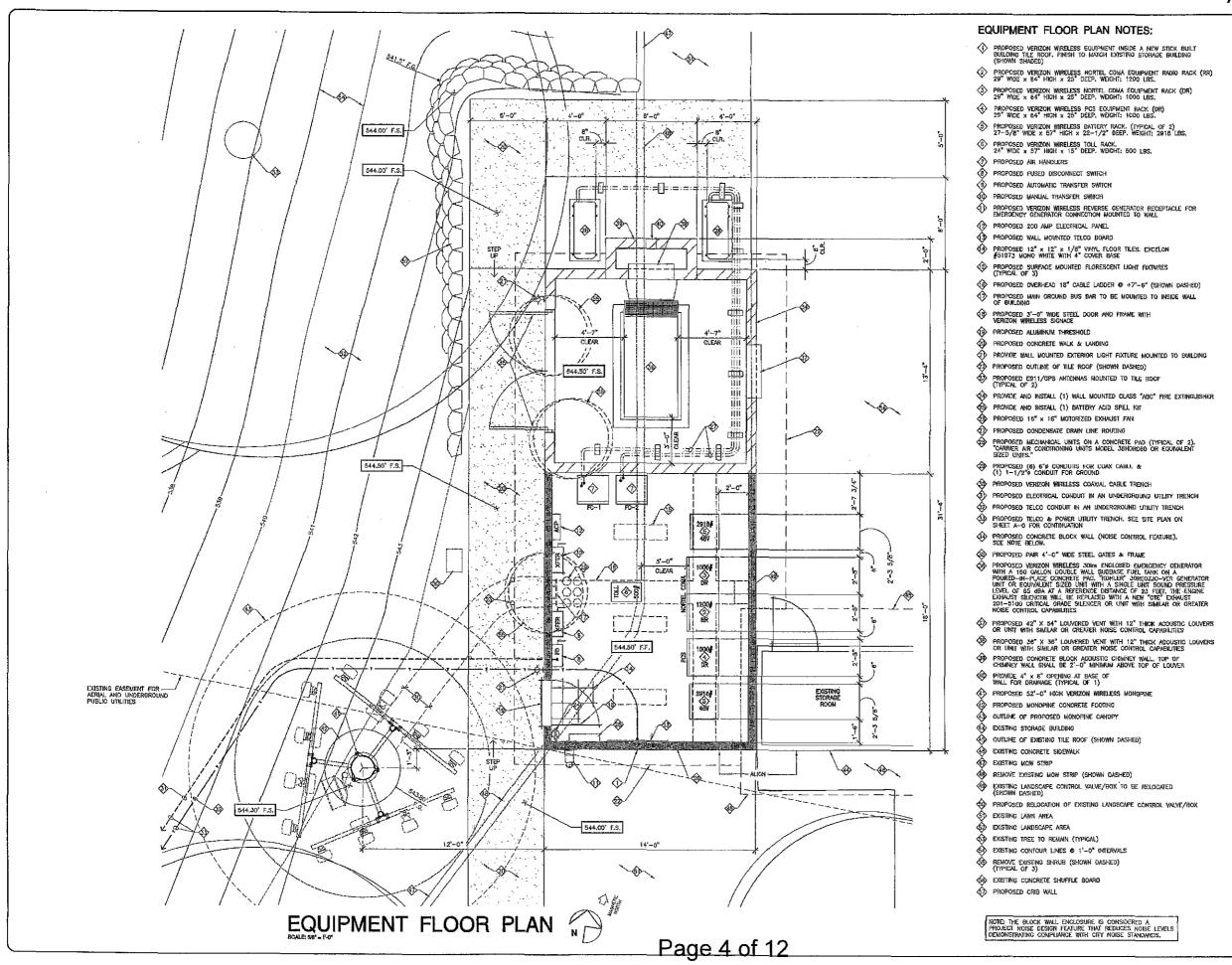
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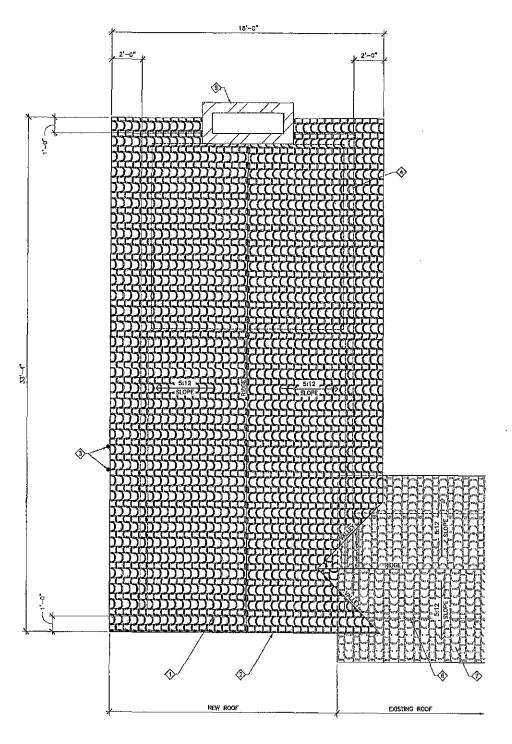




225 CARLEBAD PILLAGE DRIVE CARLEBAD, CA 99006 PREPAREO F	SUITE D2 (760) 434-8474		
PREPARED F PREPARED F P.O. BOX 19 IRVINE, CA 9262 (949) 286-76 APPROVALL A&C RE RF INT EE/INH OPS EE/OUT			
PREPAREO F P.O. BOX 19: IRVINE, CA 9262 (949) 266-71 APPROVAL: A&C RE RF INT EE/INI OPS EE/OUT			
PREPAREO F P.O. BOX 19: IRVINE, CA 9262 (949) 266-71 APPROVAL: A&C RE RF INT EE/INI OPS EE/OUT			
P.O. BOX 19: IRVINE, CA 9262 (949) 266-74 APPROVAL: A&C RE RF INT EE/INH OPS	OR		
P.O. BOX 19: IRVINE, CA 9262 (949) 266-74 APPROVAL: A&C RE RF INT EE/INH OPS	•		
APPROVAL A&C RE RF INT DPS EE/OUT	wireless		
APPROVALU A&C RE RF INT EE/INI OPS EE/OUT	707 3–9707 000		
A&C RE RF INT EE/IN OPS EE/OUT			
RE RF INT EE/IN OPS EE/OUT	S		
RF INT EE/H OPS EE/OUT	DATE		
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EE/NH OPS EE/OUT	DATE		
OPS EE/OUT	DATE		
EE/OUT	DATE		
	DATE		
	DATE		
PROJECT NA	ME		
BERNARDO WINERY			
12578 OAKS NOR SAN DIEGO, CA SAN DIEGO CO	92128		
10 /01 /32 100% 20	(se) 90% ZO (se)		
SHEET TITT	LE		
EQUIPMENT FLO	OR PLAN		

PROJECTS\VERIZON\12121

A-2

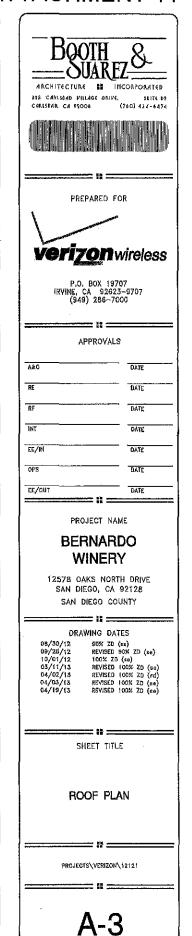


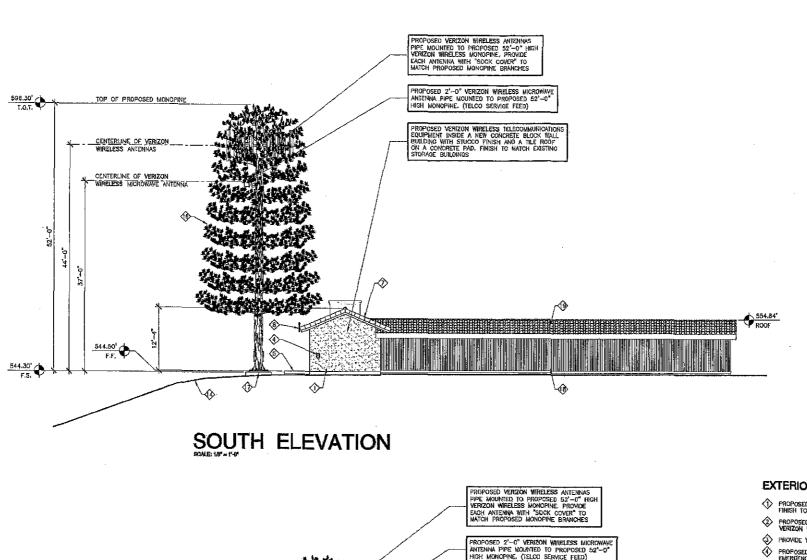
ROOF PLAN NOTES:

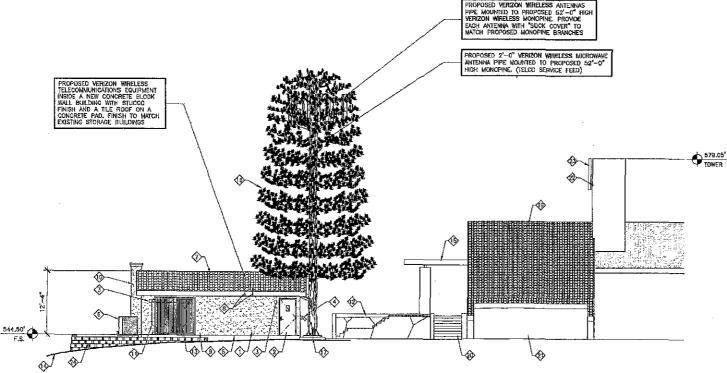
- PROPOSED EQUIPMENT BUILDING BELOW (SHOWN DASHED)
- TILE ROOFING
- PROPOSED (2) E911/GPS ANTENNAS MOUNTED TO ROOF EAVE
- PROPOSED CONCRETE BLOCK WALL GELOW (SHOWN DASHED)
- B PROPOSED CONCRETE BLOCK ACOUSTIC CHIMNEY WALL
- B EXISTING STORAGE BUILDING (SHOWN DASHED)
- EXISTING TILE ROOF



Page 5 of 12





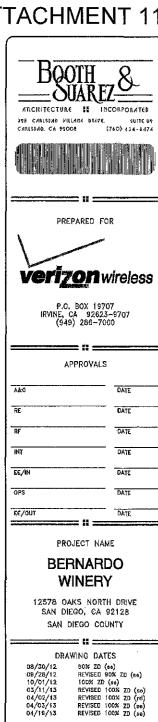


EXTERIOR ELEVATION NOTES:

- PROPOSED VERIZON WIRELESS NEW STICK BUILT BUILDING, FINISH TO MATCH EXISTING STORAGE BUILDING (SHOWN SHADED)
- PROPOSED 3'-0" WIDE STEEL DOOR AND FRAME WITH VERIZON WIRELESS SIGNAGE
- PROVIDE WALL MOUNTED EXTERIOR LIGHT FIXTURE MOUNTED TO BUILDING
- PROPOSED VERIZON WIRELESS REVERSE GENERATOR RECEPTAGLE FOR EMERGENCY GENERATOR CONNECTION MOUNTED TO WALL
- S PROPOSED CONCRETE WALK & LANDING
- PROPOSED MECHANICAL UNITS ON A CONCRETE PAD (TYPICAL OF 2).
- PROPOSED TILE :ROOF
- B PROPOSED E811/GPS ANTENNAS MOUNTED TO ROOF EAVE (TYPICAL OF 2)
- PROPOSED CONCRETE BLOCK WALL GENERATOR ENCLOSURE
- PROPOSED CONCRETE BLOCK ACOUSTIC CHIMNEY WALL
- PROPOSED VERIZON WIRELESS 30kW ENCLOSED EMERGENCY GENERATOR WITH A 150 GALLON DOUBLE WALL SUBBASE FUEL TANK ON A POURED-IN-PLACE CONCRETE PAD. (SHOWN DASHED)
- DESTING RETAINING WALL
- PROPOSED PAIR 4'-O" WIDE STEEL CATES & FRAME
- ♠ EXISTING GRADE
- EXISTING OVERHANG
- PROPOSED 52'-0" HIGH VERIZON WIRELESS MONOPINE
- PROPOSED MONOPINE CONCRETE FOOTING
- EXISTING STORAGE BUILDING
- EXISTING TILE ROOF
- EXISTING STAIRS
- EXISTING BUILDING
- EXISTING BUILDING PARAPET TOWER
- (3) EXISTING SPRINT ANTENNAS MOUNTED TO WALL
- PROPOSED GRIB WALL

WEST ELEVATION

Page 6 of 12



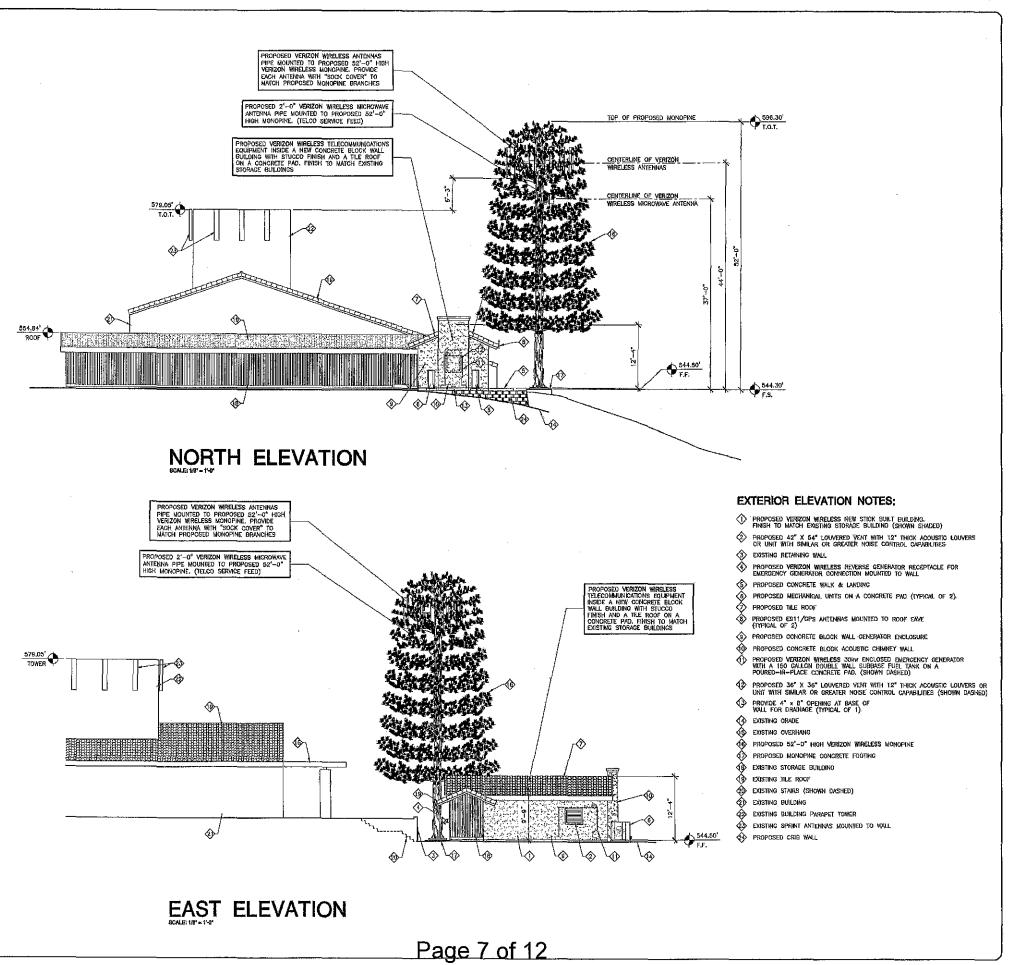
SHEET TITLE

EXTERIOR

ELEVATIONS

PROJECTS\VERIZON\12121

A-4

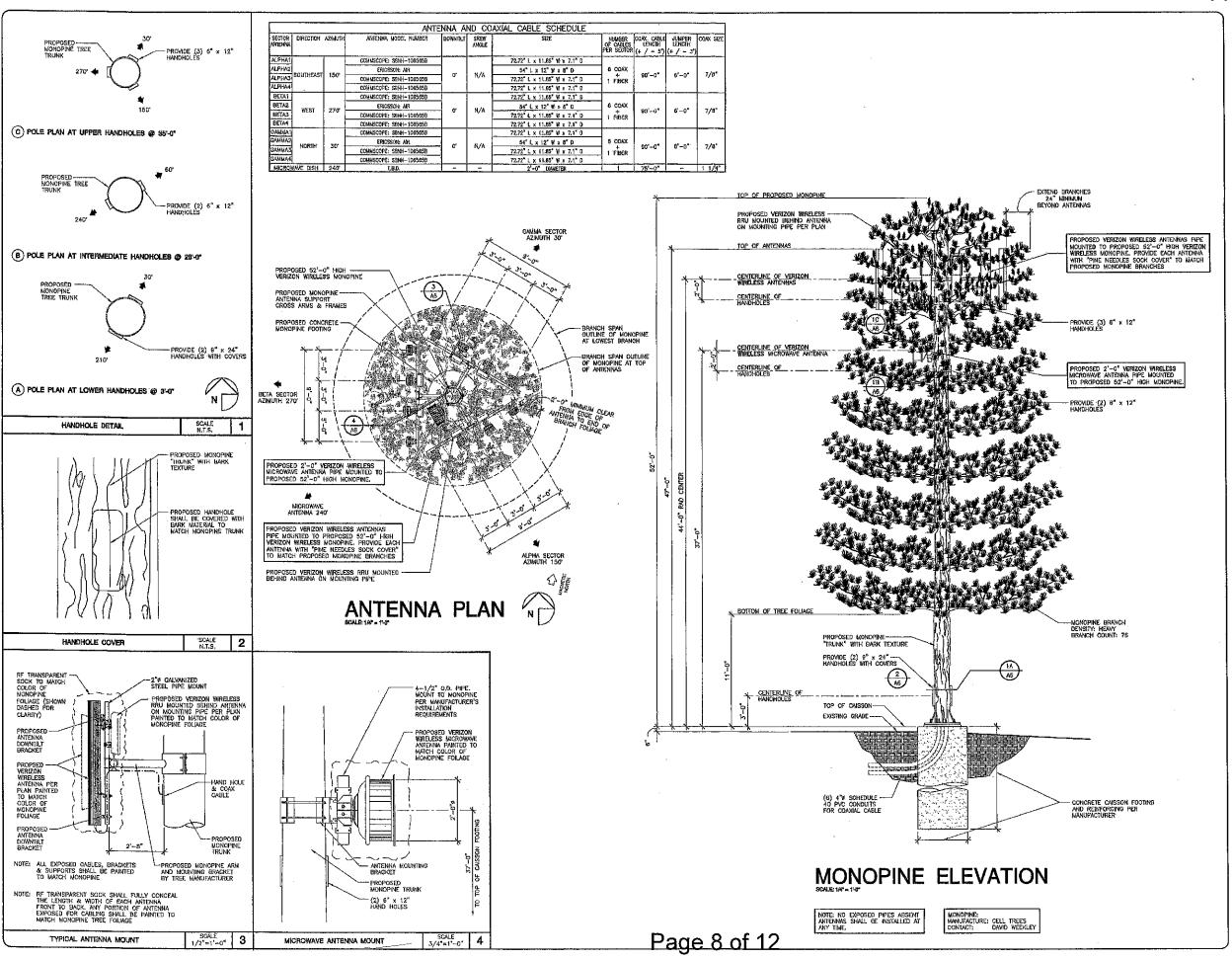


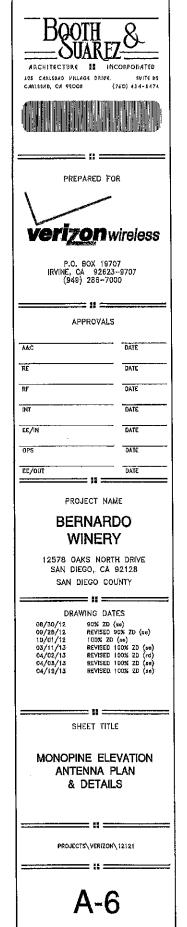
ARCHITECTURE # INCORPORATED 395 CANISOND VILLAGE DRIVE. PREPARED FOR verizonwireless P.O. BOX 19707 IRVINE, CA 92623-9707 (949) 286-7000 APPROVALS DÀTE DATE DATE DATE EE/OUT DÁTE PROJECT NAME BERNARDO WINERY 12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 SAN DIEGO COUNTY DRAWING DATES 90% ZO (se)
REVISED 90% ZO (se)
100% ZD (se)
REVISED 100% ZD (se)
REVISED 100% ZD (rd)
REVISED 100% ZD (se)
REVISED 100% ZD (se) 08/30/12 09/28/12 10/01/12 03/11/13 04/02/13 04/03/13 04/19/13 SHEET TITLE **EXTERIOR ELEVATIONS**

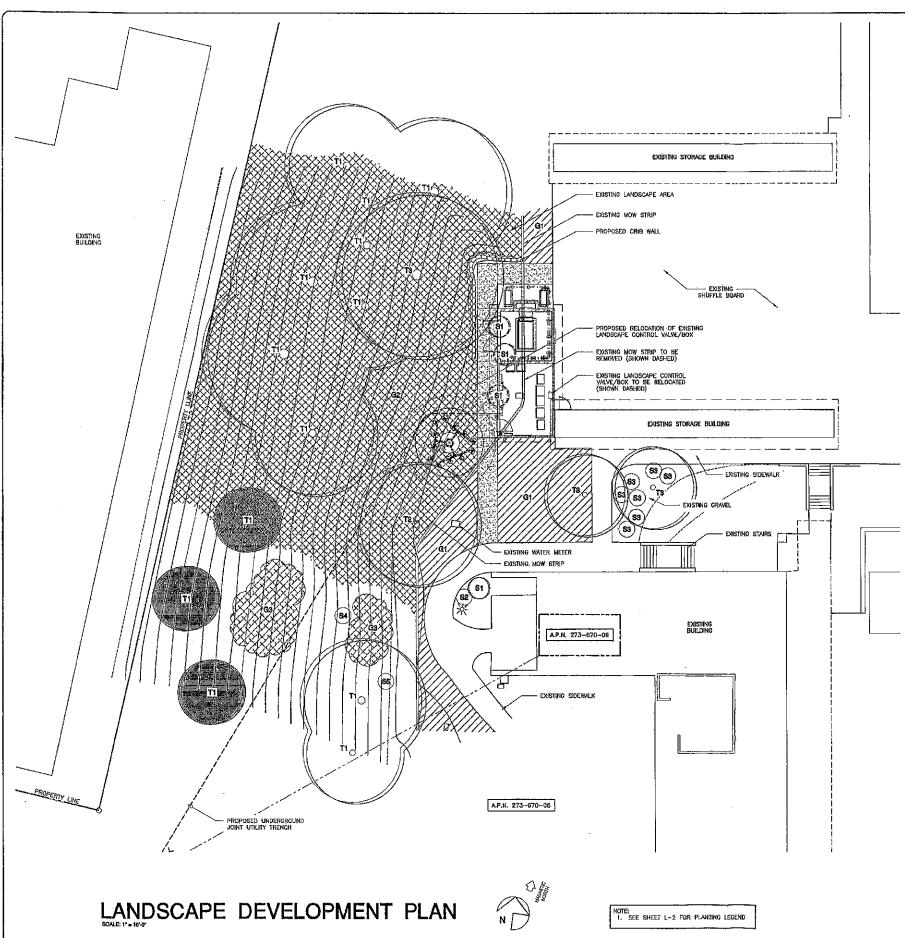
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A-5

ATTACHMENT 11







PLANTING NOTES

- DETERMINE THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO THE INITIATION OF ANY WORK. ALL WORK SHALL BE PERFORMED IN AN MAINTER WHICH WILL AVOID POSSIBLE DAMAGE TO UTILITIES, HAND EXCANATE AS REQUIRED.
- TREES SHALL BE LOCATED A MINIMUM OF FIVE FEET FROM ANY DRAINAGE FLOW LINE, SEWER LINE, WATER LINE, GAS LINE, OR ELECTRICAL CONDUIT.
- 3. ROOT BARRIERS SHALL BE INSTALLED ADJACENT TO ALL PAWING SURFACES, WHERE A PAYING SURFACE IS LOCATED WITHIN 5' OF A TREES TRUNK. ROOT BARRIERS SHALL EXTEND FOUR FEET IN EACH DIRECTION, FROM THE CENTER LINE OF THE TRUNK, FOR A TOTAL DISTANCE OF B FEET, INSTALLING ROOT BARRIERS AROUND THE ROOT BALL IS UNACCEPTABLE.
- 4. TREES WILL BE LOCATED A MINIMUM DISTANCE OF 3 FEET FROM ANY PAVING SURFACE, CURB, WALL, OR CONCRETE MOW STRIP.
- 5. ALL PLANTING AREAS, SHALL RECEIVE A 3" LAYER OF MULCH,
- 8, PLANTING INSTALLATION CRITERIA: ALL PROPOSED TREES SHALL BE SELF-SUPPORTING, WOODY PLANTS WITH AT LEAST ONE WELL DEFINED TRUNK AND SHALL NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET.
- 7. PLANTING MAINTENANCE CRITERIA: ALL LANDSCAPE INSTALLATION SHALL BE MAINTAINED IN ACCORDANCE WITH THE CITY OF SAN DIEGO LANDSCAPE STANDARDS.
- 8. MINIMUM TREE SEPARATION DISTANCE

 IMPROVEMENT/MINIMUM DISTANCE TO STREET TREE:

 TRAFFIG SIGNALS (STOP SIGN) 20 FEET
 UNDERGROUND UTILITY LINES 5 FEET (10' FOR SEWER)
 ABOVE GROUND UTILITY STRUCTURES 10 FEET
 DRIVEWAY (ENTRIES) 10 FEET
 MITERSECTIONS (WITERSECTING CURB LINES OF TWO STREETS) 25 FEET
- B. IRRIGATION: AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE—RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.
- 10, MAINTENANCE, ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY OWNER, LANDSCAPE & IRRIGATION AREAS IN THE PUBLIC ROW SHALL BE MAINTAINED BY OWNER, THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PHANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION, DISCASED OR DEAD PLANT MATERIAL, SHALL BE SATISFACTORILLY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
- 11. IF ANY REQUIRED LANDSCAPE (INCLUDING NEW OR EXISTING PLANTINGS, HARDSCAPE, LANDSCAPE FEATURES, ETC.) INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED DURING DEVOLUTION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SALISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE OR A FINAL LANDSCAPE INSPECTION.
- 12. IF TREES WITH A TRUNK WIDTH OF 4 WICHES OR MORE (MEASURED BY CALIPER, 4 FEET ABOVE GRADE) ARE REMOVED OR SIGNIFICANTLY TRUMED FOR THE INSTALLATION OR OPERATION OF THE WIRELESS COMMUNICATION FACILITY, THEN REPLACEMENT TREES OF SIMILAR SIZE SHALL BE PLANTED TO THE SATISFACTION OF THE CITY MANAGER.
- 13. REMOVE WEEDS AND PROVIDE A WEED BARRIER, PROVIDE A MINIMUM 2-MCH THICK BARK MULCH ABOVE THE WEED BARRIER

WATER CONSERVATION NOTES

- ALL LANDSCAPE AND IRRIDATION SHALL CONFORM TO THE STANDARDS OF THE CITY—WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DECO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL CITHER RANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
- 2. PLANT MATERIAL SELECTED FOR THIS PROJECT WILL BE OF A TYPE KNOWN TO BE SUCCESSFUL IN THE AREA OR IN SIMILAR CLIMATIC AND SOIL CONDITIONS
- 3, LANOSCAPE FINISH GRADING OBJECTIVES WILL INCLUDE POSITIVE SURFACE DRAINAGE OF PLANTED AREAS THROUGHOUT THE PROJECT AREA
- ALL PERMANENTLY LANDSCAPED AREAS WILL BE SERVED BY PERMANENT, AUTOMATIC, UNDERGROUND, IRRIGATION SYSTEMS
- S. ALL SOILS WILL BE FERTILIZED, AMENDED, AND TILLED TO CONFORM TO RECOMMENDATIONS MADE BY A SOIL TESTING LABORATORY AND/OR LANDSCAPE ARCHITECT IN ORDER TO PROMOTE. HEALTHY AND VIGOROUS PLANT GROWTH
- 6. ALL PLANTING AREAS WILL BE MAINTAINED IN A WEED AND DEBRIS FREE CONDITION
- 7, ALL ON—SITE IRRIGATION IMPROVEMENTS SHALL BE PART OF THE EXISTING POTABLE WATER DISTRIBUTION SYSTEM FOR THE EXISTING SITE
- 6, SFRINKLER HEADS SHALL BE ADJUSTED FOR OPTIMUM PERFORMANCE, THIS SHALL INCLUDE THROTILING THE FLOW CONTROL AT EACH VALVE TO OBTAIN THE OPTIMUM OPERATING PRESSURE FOR EACH SYSTEM. CONDITIONS THAT CAUSE OVER-SPRAY, PORDING, OR RUN-OFF SHALL BE ELMINATED, ADJUST SYSTEM TO AVOID THESE CONDITIONS
- 9. BEST IRRIGATION MANAGEMENT PRACTICES SHALL BE USED TO ELIMINATE OR CONTROL TO THE BEST EXTENT POSSIBLE PONDING, RUN-OFF, OVER-SPRAY AND MISTING
- IRRIGATION HEADS SHALL BE LOGATED OR ADJUSTED TO MINIMIZE OR ELIMINATE OVER-SPRAYING OR SIDEWALKS, STREETS AND NON-DESIGNATED USE AREAS
- 11. NEW IRRIGATION SYSTEM TO BE CONNECTED TO THE CLOSEST EXISTING IRRIGATION VALVE BOX
- 12. AUTOMATIC IRRIGATION SYSTEM SHALL HAVE A RAIN SENSOR
- ALL GRADED, DISTURBED OR ERODED AREAS THAT WILL NOT BE PERMANENTLY PAYED OR COVERED BY STRUCTURES SHALL BE PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 142-DAF AND IN ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL [142.0411(d)].
- 14. IRRIGATION; AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DOPELOPMENT, AND MAINTENANCE OF THE VEGELATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.

LANDSCAPE NOTES;

- AREAS DISTURBED DURING CONSTRUCTION FROM EQUIPMENT, TRENCHING WILL BE REVEGETATED TO EXISTING CONDITION
- FOR AREAS OF BARE SOIL, NOT REVENETATED WITH GROUND COVER, PROVIDE A 3 INCH LAYER OF BARK MUTCH



ARCHITECTURE ## INCORPORATED

325 CARISHAD VILLAGE DRIVE, SWITE DI

CARISHAD CA 19008 (740) 434-447.



PREPARED FOR



P.O. BOX 19707 IRVINE, CA 92623-9707 (949) 286-7000

	II	
	APPROVALS	
A&C		DATE
RE		DATE
RF		DATE
INT		DATE
EE/IÑ		DATE
OPS	-	DATE
EE/OUT		DATE

PROJECT NAME

BERNARDO WINERY

12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 SAN DIEGO COUNTY

DRAWING DATES

0B/S0/12 90% ZD (ee)
09/28/12 REYISED 90% ZD (se)
10/01/12 100% ZD (se)
03/11/13 REVISED 100% ZD (se)
04/02/13 REVISED 100% ZD (se)
04/03/13 REVISED 100% ZD (se)
04/19/13 REVISED 100% ZD (se)

SHEET TITLE

LANDSCAPE DEVELOPMENT PLAN

PROJECTS\VERIZON\12121

L-1

Page 9 of 12

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	FORM / FUNCTION	PLANTING SIZE	QUANTITY	MATURE HEIGHT & SPREAD
m	PINUS CANARIENSIS	CANARY ISLAND PINE	TREE	EXISTING	-	80' HEIGHT 30' SPREAD
	PINUS CANARIENSIS	CANARY ISLAND PRIE	TREE	24" 90X	3	80' HEIGHT 30' SPREAD
T2	PYRUS CALLERYANA	FLOWERING PEAR OR BRADFORD PEAR	TREE	EXISTING	-	40' HEIGHT 30' SPREAD:
ТЗ	CUPANIOPSIS ANAGARDIOIDES	CARROT WOOD TREE	TREE	existing	_	35' HEIGHT 36' SPREAD
(SI)	Pittisporum Tobira	JAPANESE MOCK DRANGE	SHRUB	existing	_	15' HEIGHT 15' SPREAD
(SI)	PITHISPORUM TOBIRA	JAPANESE MOCK ORANGE	SHRUB	REMOVE	3	15' HEIGHT 15' SPREAD
(82)	moraea dietes	SPANISH IRIS (USUALLY LIGHT YELLOW)	SHRUB	existing	-	2' HEIGHT 1.5' SPREAD
83	RHAPHIOLEPIS #NOICA	INDIAN HÄWTHORN	SHRUB	EXISTING	_	5' HEIGHT 8' SPREAD
84)	CALLISTEMON VIMINALIS	LITTLE JOHN DWARF BOTTLEBRUSH	SHRÜB	OPITRIKA	_	3' HEIGHT 5' SPREAD
(\$5)	CONVOLVULUS CNEORUM	Bush Morning Glory	SHRUB	existing	_	2" HEIGHT 3" SPREAD
	STENOTAPHRUM SECUNATUM "FLORATAM"	ST. AUGUSTINE GRASS	GROUND COVER-	EXISTING	_	1' HEIGHT 20" SPREAD
	DELOSPERNA FLORIBUNDUN	DISNEYDAND TOE PLANT	GROUND COVER	EXISTING	-	2' HEIGHT 6' SPREAD
	MYOPORUM PÁCIFICUM	MYOPORUM PACIFICUM	GRÓUÑÐ COVER	existing		3' HEIGHT 25' SPREAD

NOTE:
PATCH & REPAIR GROUND COVER WHERE DAMAGED BY TRENCHING AND INSTALLATION
OF LANDSCAPE SHRUBS

BOOTH &		
ARCHITECTURE 11 INCORPORATED		
325 CARLSDAD VILLAGE DRIVE. SUITE D2 CARLSDAD: CA 92008 (760) 234-8474		
<u> </u>		
PREPARED FOR		
veri<u>zon</u>wi reless		
P.O. BOX 19707 IRVINE, CA 92623-9707 (949) 286-7000		
APPROVALS		
A&C CATE		
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RF DAYE		
INT DATE EE/IN DATE		
OPS DATE		
EE/OUT DATE		
PROJECT NAME		
BERNARDO WINERY		
12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128 SAN DIEGO COUNTY		
DRAWING DATES 08/30/12 90% ZD (se)		
09/28/12 REVISED 90% ZO (se) 10/01/12 100% ZD (se)		
04/02/13 REVISED 100% ZD (rd)' 04/03/13 REVISED 100% ZD (rd)' 04/19/13 REVISED 100% ZD (se)		
SHEET TITLE		
PLANTING LEGEND		
II		
PROJECTS\VERIZON\12121		
· _ ·		
L-2		

ITEMS CORRESPONDING TO SCHEDULE "B":

BY: LAWYERS TITLE COMPANY 4100 NEWPORT PLACE ORIVE, SUITE 120 NEWPORT BEACH, CA 92660

FILE NO: 09306130 TITLE OFFICER: CHRIS MAZIAR DATEO: JULY 23, 2012

PARENT PERIOR, CA SASSO PHONE: (1942) 724-3170 THE FOLLOWING ITEMS WERE FOUND IN SAID COMMITMENT AND ARE REFERENCED ON THIS MAP. COVENANTS AND AGREEMENTS LISTED HEREON CONTAIN MUMEROUS ITEMS THAT AFFECT THE SUBJECT PROPERTY, CONTENTS SHOULD BE REVIEWED TO DISCERN SPECIFICS

1 - WATER RIGHTS, CLAIME OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. THIS ITEM IS BLANKET IN NATURE AND IS NOT PLOTTED HEREON.

AN EASEMENT FOR ABITAL AND UNDERGROUND PUBLIC UTILITIES AND PURPOSES INCIDENTAL THERETO AS GRANTED TO SAN DIECO CAS AND ELECTRIC COMPANY, BY DEED RECORDED JULY 14, 1947 IN BOOK 2430, PAGE 463. OF OFFICIAL RECORDS, THIS ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.

AN EASTWENT FOR AERIAL AND UNDERGROUND PUBLIC UTILITIES AND PURPOSES INCIDENTIAL THERETO AS GRANTED TO SAN DIECO GAS AND ELECTRIC COMPANY, BY DEED RECORDED NOVEMBER 15, 1850 IN BOOK 361, PAGE 322 OF OFFICIAL RECORDS OF OFFICIAL RECORDS. THIS TIEM AFFECTS THE SUBJECT PROPERTY AND IS FLOTTED HERCOIL.

(4) MATTERS CONTAINED IN THE DEDICATION STATEMENT OR ELSEWHERE ON THE TRACT OR PARCEL MAP 7/186. THIS TIEM AFFECTS THE SUBJECT PROPERTY AND IS APPROXIMATELY PLOTTED HEREON.

COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE DOCUMENT RECORDED APRIL 27, 1972 AS FILE NO. 104705 OF OFFICIAL RECORDS. THIS ITEM AFFECTS THE SUBJECT PROPERTY BUT IS BLANKET IN NATURE AND IS NOT PLOTTED HEREON.

AN EASEMENT FOR AERIAL AND UNDERGROUND PUBLIC UTILITIES AND PURPOSES MODENTAL THERETO AS GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, BY DEED RECORDED MAY 10, 1972 AS FILE NO. 117561 OF OFFICIAL RECORDS. THIS TIEM AFFECTS THE SUBJECT PROPERTY, IS BLANKET IN NATURE OVER THE PROPERTY EXCEPT FROM THOSE PORTIONS OCCUPIED BY BULLINGS, SYMMMING POOLS, CARPORTS AND/OR GARAGE AND IS NOT PLOTTED HEREON,

PENCROACHMENT REMOVAL AGREEMENT FOR LANDSCAPING AND SPRINKLERS IN R/W RECORDED SEPTEMBER 6, 1972 AS FILE NO. 238239 OF OFFICIAL RECORDS, THIS ITEM AFFECTS THE SUBJECT PROPERTY BUT THE EXACT LOCATION AND OR EXTENT IS NOT DISCLOSED FROM RECORD AND IS NOT PLOTTED HEREON.

AN EASEMENT FOR AFRILA AND UNDERGROUND PUBLIC UTILITIES AND PURPOSES INDIDENTAL THERETO AS GRANTED TO SAN DIEGO DAS AND ELECTRIC COMPANY, OF DEED RECORDED DECEMBER 19, 1972 AS FILE NO. 72-537275 DF OFFICIAL RECORDS. THIS TIEM AFFECTS THE SUBJECT PROPERTY BUT THE EXACT LOCATION AND OR EXTENT IS NOT DISCLOSED FROM RECORD. APPROXIMATE LOCATION SHOWN OF EXTENT IS NOT DISCLOSED FROM RECORD. APPROXIMATE LOCATION SHOWN OF THE SUBJECT PROPERTY AND AS THE SUBJECT THE

THE MATTERS CONTAINED IN A DOCUMENT RECORDED JANUARY 28, 1977 AS FILE NO. 77-035384 OF OFFICIAL RECORDS. THIS TIEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.

AN EASEMENT FOR ASRIAL AND UNDERGROUND PUBLIC UTILITIES AND PURPOSES MODENTAL THERETO AS GRANTED BY DEED RECORDED APRIL 10, 1998 AS FILE NO. 1998—2020/17 OF OFFICIAL RECORDS. THIS LITEM AFFECTS THE SUBJECT PROPERTY BUT THE EXACT LOCATION AND OR EXTENT IS NOT DISCLOSED FROM RECORD. APPROXIMATE LOCATION SHOWN HEREON. APPROXIMATE LOCATION SHOWN HEREON.

AN EASEMENT FOR AERIAL AND UNDERGROUND PUBLIC UTILITIES AND PURPOSES INCIDENTAL THERETO AS GRANTED BY DEED RECORDED AUGUST 22, 2001 AS FILE NO. 2001—0618812 OF OFFICIAL RECORDS. THIS ITEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON.

(b)— AN EASEMENT FOR AERIAL AND UNDERGROUND TELEGRAPH, TELEPHONE, AND COMMUNICATION STRUCTURES AND PURPOSES INDIDENTAL THERETO AS GRANTED BY DEED RECORDED LUNE 28, 2006 AS FILE NO, 2006-0408533 OF OFFICIAL RECORDS, THIS TIEM AFFECTS THE SUBJECT PROPERTY AND IS PLOTTED HEREON,

THE MATTERS CONTAINED IN A DOCUMENT RECORDED AUGUST 1, 2007 AS FILE NO. 2009—5014723 OF OFFICIAL RECORDS. THIS ITEM AFFECTS THE SUBJECT PROFERRY BUT IS BLANKET IN NATURE AND IS NOT PLOTTED HERCON.

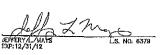
MATTERS CONTAINED IN THAT CERTAIN DOCUMENT RECORDED APRIL 8, 2011 NO 2011—1013594. CFGIAL RECORDS. THIS ITEM AFFECTS THE SUBJECT PROFERRY BUT IS BLANKET IN NATURE AND IS NOT PLOTTED HERCON.

(2)— MATTERS CONTAINED IN THAT CERTAIN DOCUMENT RECORDS NOVEMBER 21, 2011 RECORDING NO: 2011—0622199, OFFICIAL RECORDS. THIS ITEM AFFECTS THE SUBJECT PROPERTY BUT THE EXACT LOCATION AND OR EXTENT IS NOT DISCLOSED FROM RECORD AND IS NOT PLOTTED HEREON.

ITEMS #S SHOWN HEREON ARE STATED AS EXCEPTIONS ON ABOVE REFERENCED COMMITMENT, NO RESPONSIBILITY FOR THE COMPLETENESS, ACCURACY, OR CONTENT OF SAID REPORT IS ASSUMED BY THIS MAP.

COORDINATES: LATITUDE: 33:02'01,062" N LONGITUDE: 117:03'30.881" DATUK: NADB3

DATE OF SURVEY: 08/10/2012





LEGEND:

LEGEND:

CC - COMMUNICATION CABINET
CC - COMMUNICATION CABINET
CC - COUNTY
CC

SCALE: 1" = 30

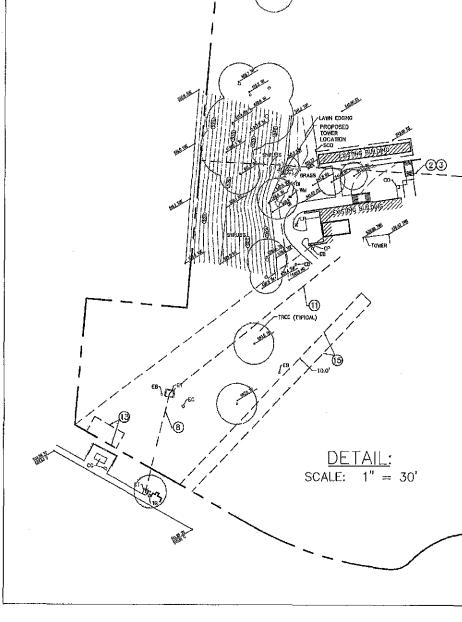
LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 5 OF OAKS NORTH UNIT NO. 1, IN THE CITY OF SAN DEGOS, COUNTY OF SAN DEGOS, STATE OF CALFORNIA, ACCORDING TO MAP THEREOF NO. 7165 FILED IN THE OFFICE OF THE COUNTY, FACCORDER OF SAN DIEGO COUNTY, JANUARY 25, 1972. ASSESSOR'S PARCEL NUMBER: 273-670-08

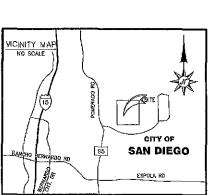
BOUNDARY NOTE:

THE BOUNDARY SHOWN HEREON IS BASED ON RECORD INFORMATION AS COLLECTED FROM THE ASSESSORS PARCEL MAP. IT IS NOT THE RESULT OF A COMPLETE BOUNDARY SURVEY, IT HAS BEEN PROVIDED FOR INFORMATIONAL PURPOSES ONLY.





BENCHWARK = FOUND BRASS PLUG AT THE NORTHEAST CORNER OF OAKS NORTH DRIVE AND POMERADO ROAD. EL=496,923 MSL.



-SUAREZ **POOTH** ARCHITECTURE # INCORPORATED

398 CARLSBAD VILLAGE DRIVE. SUIT€ D2 (760) 434-847

PREPARED: FOR



P.O. BOX 19707 IRVINE, CA 92623-9707 (949) 286-7000

CONSULTANT

JRN **CIVIL ENGINEERS**

232 AVENIDA FABRICANTE, SUITE 107 SAN CLEMENTE, CA 92672 (949) 248-4685

PROJECT NAME BERNARDO WINERY

12578 OAKS NORTH DRIVE SAN DIEGO, CA 92128

SAN DIEGO COUNTY

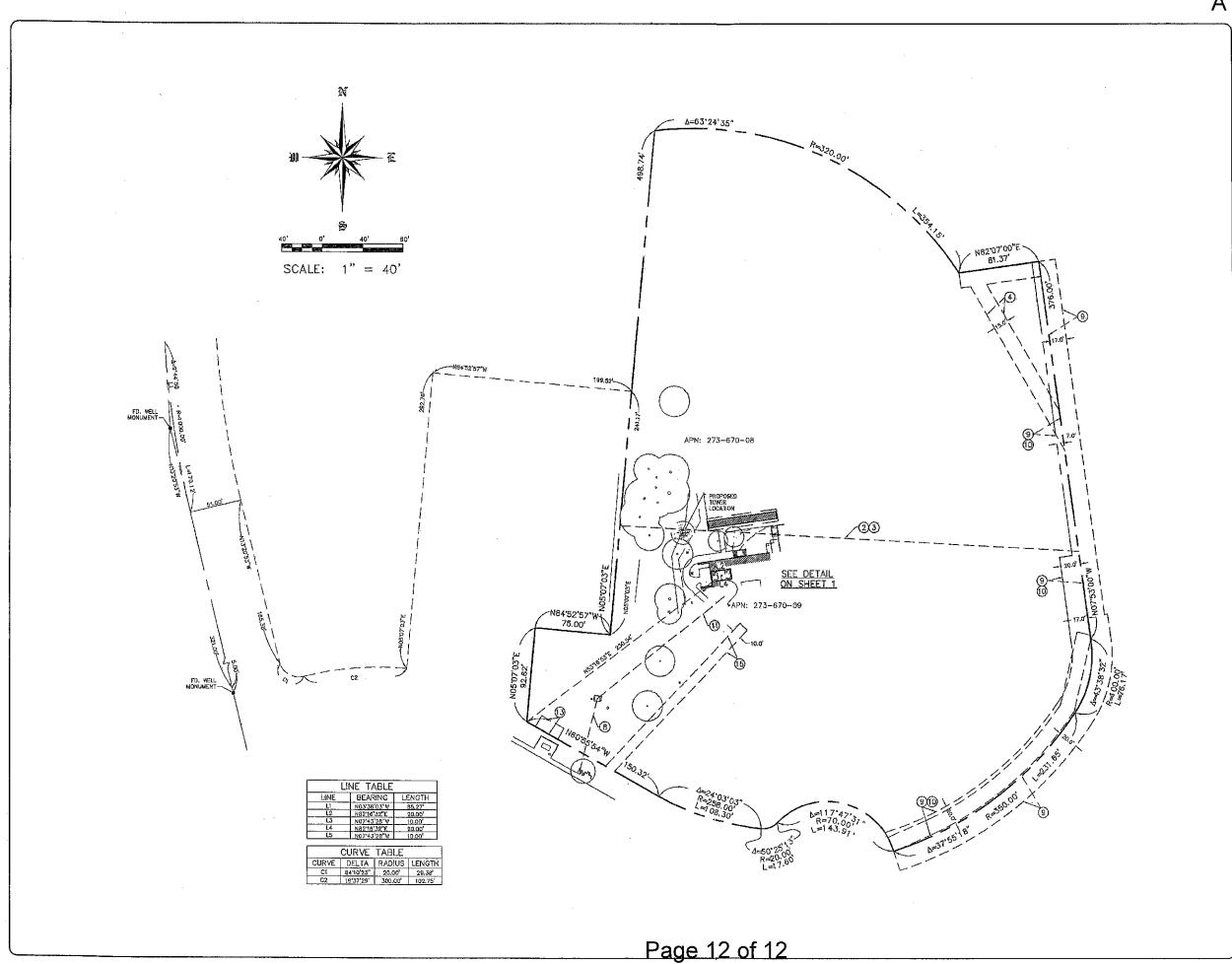
DRAWING DATES

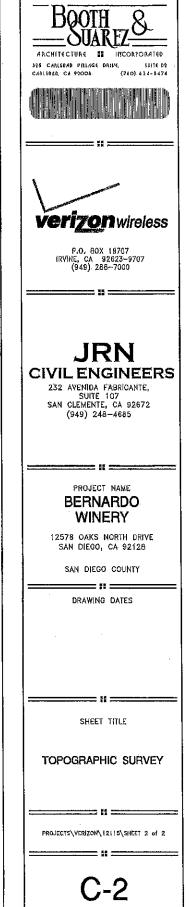
SHEET TITLE

TOPOGRAPHIC SURVEY

PROJECTS VERIZON 12115 SHEET 1 of 2

C-1







Clty of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000

Ownership Disclosure Statement

Accompanies to the Commence of	
Approval Type: Check appropriate box for type of approval (s) requested Neighborhood Development Permit Variance Tentative Map Vesting Tentative Map Map Waix	
Project Title	Project No. Fer City Use Only
VZ: "Bernardo Winery"	
Project Address:	
12578 Oaks North Drive, CA 92128-1699	
Part I - To be completed when property is held by Individual(s	
By signing the Ownership Disclosure Statement, the owner(s) acknowledge above, will be filed with the City of San Diego on the subject property, we believe the owner(s) and tenent(s) (if applicable) of the above referenced who have an interest in the property, recorded or otherwise, and state the individuals who own the property. A signature is required of at least one from the Assistant Executive Director of the San Diego Redevelopment A Development Agreement (DDA) has been approved I executed by the C wanger of any changes in ownership during the time the application is being the Project Manager at least thirty days prior to any public hearing on the Information could result in a delay in the hearing process. Additional pages attached X Yes No	iff the intent to record an encumbrance against the property. Please list property. The list must include the names and addresses of all persons type of property interest (e.g., tenants who will benefit from the permit, all of the property owners. Attach additional pages if needed. A signature gency shall be required for all project parcels for which a Disposition and Dily Council. Note: The applicant is responsible for notifying the Project being processed or considered. Changes in ownership are to be given to
Name of Individual (type or print):	Name of Individual (type or print):
145	
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redavolopment Agency
Street Address:	Street Address:
Clty/State/Zip:	City/State/Zip:
	Black W. A.
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/Lessee Redevelopment Agency	Owner T Tenant/Lessee T Redevelopment Agency
Streef Address:	Street Address:
Clty/\$tate/Zlp:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:

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

DS-318 (6-05)

Project Title: Verizon: 12578 Oaks North Drive, San Diego, CA 92128-1699		Project No. (For City Use Only)		
Part II - To be completed when property is held by a corporation or partnership				
Legal Status (please check):				
Corporation				
By signing the Ownership Disclosure Statement, the owner(s) actors as identified above, will be filed with the City of San Diego on the state property. Please list below the names, littles and addresses of otherwise, and state the type of property interest (e.g., tenants who in a partnership who own the property). A signature is required of property. Attach additional pages if needed. Note: 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 subjinformation could result in a delay in the hearing process. Additional pages if the country of the subjinformation could result in a delay in the hearing process.	ubject properly with the inten all persons who have an inter will benefit from the permit, at least one of the corporate responsible for notifying the nsidered. Changes in owners act property. Failure to provid onal pages attached.	to record an encumbrance against rest in the property, recorded or all corporate officers, and all partners officers or partners who own the Project Manager of any changes in ship are to be given to the Project de accurate and current ownership res No		
Corporate/Pertnership Name (type or print): Oaks North Community Center Inc.	Corporate/Partnership Nam	ne (type or print):		
▼ Owner Tenant/Lessee	Owner Tenant/L	988 00		
Street Address:	Street Address:			
12578 Oaks North Drive City/State/Zip:	City/State/Zip:	SPANNES AND SEA IN SECTION SECTION (SECTION SECTION SE		
San Diego, CA 92128-1699 Phone No: Fax No:	Phone No:	Fax No:		
858-487-0120 858-487-5328 Name of Corporate Officer/Partner (type or print): ()rlando Uribe	Name of Corporate Officer/Par	tner (type or print);		
Title (type or print). General Manager	Title (type or print):			
Signature: Date: 22 JAN. 2013	Signature :	Date:		
Corporate/Partnership Name (type or print): Corporate/Partnership Name (type or print):				
☑ Owner ☐ Tenant/Lessoc	Owner Tenant/L	ASSO 6		
Street Address:	Street Address:	Table 1 and Artist St. Annual		
12578 OAKS NORTH DR. Cly/State/Zip: SAN DIEGO, CA 92128	City/State/Zip:	The second secon		
Phone No: 858-487-0120 858-487-5328	Phone No:	Fax No:		
Name of Corporate Officer/Partner (type or print): プロドル W FOOTミ	Name of Corporate Officer/Par	tner (type or print):		
Titla (type or print): PRESIDENT	Title (type or print):			
Signature: Gy Jook Date: 22 JAN 2013	Signature :	Date:		
Corporate/Partnership Name (type or print):	Corporate/Partnership Nan	ne (type or print):		
Owner Tenant/Lessee	Owner Tenant/t	.essee		
Street Address:	Street Address:	WWW.ACC Commenced beautiful and a commence of the commence of		
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/Par	ther (type or print):		
Title (type or print):	Title (type or print):	and the second of the second o		
Signature Date:	Signature :	Date:		
中心,如果我们的是我们就会不是这种是不会的人,我们就是我们的人,我们就是我们的人,我们就是我们的人,我们就是我们的人,我们也不是我们的人,我们也不是我们的人,他们	THE PROPERTY OF THE PROPERTY O			

About Verizon Wireless

About Verizon Wireless Our Company Our Technology

Our Commitment

We're the people who keep you connected, take your life mobile and deliver the level of convenience you depend on. All thanks to our powerful technology and the nation's largest and most reliable 4G LTE network.

Our Story

Awards

Leadership

Customer Satisfaction

Viewing:



Region Presidents

Executive Leaders



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Marni Walden Executive Vice President and Chief Operating Officer

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Holly Hess Groos Senior Vice President and Chief Financial Officer

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Ken Dixon Vice President and Chief Marketing Officer

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Nicola Palmer Vice President and Chief Network Officer

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Andy MacLeod
Vice President and Chief Technology
Officer

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M. Alan Gardner
Senior Vice President - Human
Resources

ATTACHMENT 12

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Shankar Arumugavelu Senior Vice President and Chief Information Officer

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William B. Petersen
Vice President - General Counsel and
Secretary

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Steve Smith
Vice President, Business Development

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Torod B. Neptune Vice President - Corporate Communications

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Area Presidents



Bill Foshay President - Northeast Area

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Christine Baron
President - Midwest Area

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Roger Tang
President - South Area

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Greg Haller
President – West Area

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Sales



Mark Bartolomeo Vice President -Global Enterprise Sales

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ATTACHMENT 12 Marquett Smith Vice President – Federal Government Sales

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Customer Service



John Bianchi Vice President - National Customer Service

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Eileen M. Creeden Vice President - Customer Service Strategy

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Victoria L. Boston Vice President - Northeast Area Customer Service

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Joan T. Bowyer Vice President - Midwest Area Customer Service

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Melanie Braidich Vice President - West Area Customer Service

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Charlie Falco Vice President - South Area Customer

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Service



Brian Stacy Vice President - Business Service Centers & Government Support

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Project Chronology

Verizon - Oaks North - Project No. 310809

Date	Action	Description	City Review Time	Applicant Response Time
3/20/2013	First Submittal	Project Deemed Complete		
4/15/2013	First Assessment Letter		26	
5/1/2013	Second Submittal			16
5/7/2013	Second Assessment Letter		6	
6/28/2013	Third Submittal			52
7/23/2013	Issues Resolved		25	
9/26/2013	Public Hearing – Planning Commission		65	
TOTAL STAFF	TIME		122	
TOTAL APPLI	CANT TIME			68
TOTAL PROJE	ECT RUNNING TIME	From Deemed Complete to Planning Commission Hearing	190 (in calendar days)	



THE CITY OF SAN DIEGO

DATE OF NOTICE: September 12, 2013

NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING:

September 26, 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:

NEIGHBORHOOD USE PERMIT, NEIGHBORHOOD

DEVELOPMENT PERMIT, AND PLANNED DEVELOPMENT PERMIT, PROCESS FOUR

PROJECT NUMBER:

310809

PROJECT NAME:

VERIZON – OAKS NORTH

APPLICANT:

Krystal Patterson, PlanCom, Inc., agents representing

Verizon Wireless

COMMUNITY PLAN AREA:

Rancho Bernardo

COUNCIL DISTRICT:

District 5

CITY PROJECT MANAGER:

Alex Hempton, Development Project Manager

PHONE NUMBER/E-MAIL: (619) 446-5349 / ahempton@sandiego.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 Wireless Communication Facility (WCF) consisting of 12 panel antennas and a microwave dish antenna mounted on a new 52-foot tall faux pine tree ("monopine") with equipment associated with the antennas and an emergency generator located adjacent to the monopine in a 451 square-foot building. The project is located at 12578 Oaks North Drive.

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 do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at

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

This project was determined to be categorically exempt from the California Environmental Quality Act on July 31, 2013 and the opportunity to appeal that determination ended August 14, 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 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: 24003535

Revised 10-4-12 HMD



Rancho Bernardo Community Planning Board PO Box 270831, San Diego, CA 92198 www.rbplanningboard.com

JUNE 20, 2013 Minutes

7:00 PM, @ RB Swim & Tennis Club Club 21 Room 16955 Bernardo Oaks Drive

ITEM #1

<u>CALL TO ORDER – REGULAR MEETING:</u> Meeting called to order 7:01 pm by Richard House, Chair. <u>In attendance</u>: Fred Gahm, Robin Kaufman, John Cochran, Teri Denlinger, Roberta Mikles, Wolfie Pores, Richard House, Matt Stockton, Joe Dirks, Glen Vaughan, Dou Dell'Angela, Vicki Touchstone, Eugenia Contratto, Mike Lutz. <u>Absent:</u> Peter Tereschuck, Kim Coutts. A quorum was met: 14 out of 16 in attendance.

ITEM #2 NON-AGENDA PUBLIC COMMENT:

-Mitch Berner from Public Solutions informed those in attendance that a fifth Starbucks is being considered in Rancho Bernardo. This will be a drive thru, next to California Bank and Trust at 16796 Bernardo Center Drive.

-Mayra Vazquez from Councilman Kersey's office invited the public to a Budget and Finance Forum at the Rancho Penasquitos library on June 26, 6-8 pm.

ITEM #3

MODIFICATIONS TO AGENDA / ADOPT DRAFT AGENDA:

-Motion made Richard House/Wolfie Pores to place item #14 (Verizon/Oaks North Project) as item #7 and move item #7 (Proposed Project Rankings...) to item #14. Motion passed unanimously.

ITEM #4

CHAIR REMARKS

None.

ITEM #5

BARROW EMERSON FROM SANDAG—ON ENHANCED BRT BUS SERVICE FOR RB:

-Barrow Emerson relayed currently proposed information on enhanced bus service for our community which will start next year. This will include inbound and outbound services all day and/or some am/pm service. Changes to neighborhood routes will be reviewed next year and a new BRT station will be completed in the Sabre Springs/Rancho Penasquitos areas as well as Miramar College in 2014. All this information and more can be seen at 'Keep San Diego Moving' on the City web site.

ITEM #6

ADMINISTRATIVE ITEMS:

-Motion made Roberta Mikles/Fred Gahm to accept May 16 minutes with one voting correction. Motion passed 13-0-1 (Teri Denlinger abstained as she was not present at the May 16 meeting). A corrected copy will be sent to all members and then posted on the City website by the Secretary.

-Treasurer Fred Gahm reported we presently have \$816.34 in the grant account and \$427.63 in the savings account. He also reported we spent more than the allotted \$100 for RB Alive. Vicki commented she was donating her spendings for the event. Motion made Vicki Touchstone/Roberta Mikles to accept the treasurer's report. Motion passed unanimously.

ITEM #6a

RESIDENTS WISHING TO PRESENT THEMSELVES FOR BOARD VACANCIES:

None at this time.

ITEM #7

VERIZON/OAKS NORTH PROJECT:

-Ron Stevens from the Oaks North Community Board of Directors commented the Oaks North Board is still supporting the original concept, but pending Plancom/Verizon issues, the Oaks North Board would like our support of putting this project on hold.

-Orlando Uribe, Oaks North Community Center's Manager, reiterated the Oaks North Board

approved the project in concept until the final specs, etc., were ready to be presented to their 15 Board. This was not done yet. Therefore, he too asked that we hold off on supporting the project until all details are reviewed. Motion made Richard House/Roberta Mikles that we not approve the application until there is a legal avenue of approval. See attached document for full comments by Ron Stevens. Motion passed unanimously.

ITEM #8 CHANGE THE BOARD MEETING START TIME TO 6:30 PM:

-Motion made Richard House/Robin Kaufman to change start time to 6:30 pm to help end meetings earlier. After some discussion, motion failed 2-12-0 in order to help accommodate two members who said it would not give them time to come from work and eat prior to the meeting.

ITEM #9 APPOINT JOHN KOWALSKI AS RESIDENT MEMBER TO REGIONAL ISSUES COMMITTEE:

-Motion made Richard House/Vicki Touchstone to add John Kowalski as a resident member of the Regional Issues Committee. Motion passed 12-2-0 (Joe Dirks, Robin Kaufman).

ITEM #10 APPOINT GEORGE LEITNER AS RESIDENT MEMBER TO DEVELOPMENT REVIEW COMMITTEE:

-Motion made Richard House/Matt Stockton to add George Leitner as a resident member of the Development Review Committee. Motion passed unanimously.

ITEM #11 REALLOCATION OF RB FOUNDATION GRANT FUND:

-Richard House informed us the grant committee (Richard House, Vicki Touchstone, Fred Gahm) met to discuss possible reallocations of funds. After some discussion a motion was made Richard House/Matt Stockton to table the discussion until next month when a final proposal could be presented to the full board.

ITEM #12 REPORT ON THE RB ALIVE EVENT:

-Vicki Touchstone commented on a survey asking about the top three planning issues affecting RB. Rankings went in order of importance (ie: most important/second most/third most):

- -furture development of PUSD site (park, housing, mix of park and housing): 13/7/6
- -implementing local transit plan to connect the transit center to various areas in RB: 14/4/4
- -traffic congestion relief/transportation improvements within RB: 5/8/6
- -identifying additional park land for sports fields: 5/8/6
- -improving accessibility and safety for bikes and pedestrians in RB: 6/4/9
- -redevelopment of commercial areas: 2/4/8
- -updating the RB Community Plan: 3/6/6

ITEM #13 REQUEST FOR COPIES OF PRIOR COMMUNICATIONS FROM PAST CHAIR:

- Teri Denlinger, immediate past chair, was allotted time to speak on the matter of relinquishing all board related documents. Teri commented she does not have any documents other members do not already have in their possession. She commented she would be more than happy to provide a copy of any specific items anyone requests. To expedite the meeting, Richard House ended the discussion and moved on to the next topic.

ITEM #14 PROPOSED PROJECT RANKINGS FOR THE REVISED RB PUBLIC FACILITIES FINANCING PLAN:

- -Vicki Touchstone reviewed the immediate needs and rankings of projects that need to be addressed. Motion made Vicki Touchstone/Robin Kaufman to approve the traffic ranking listing recommended. Motion passed unanimously.
- -Motion made Vicki Touchstone/Richard House to accept the park project rankings recommended. Motion passed unanimously.
- -Motion made Wolfie Pores/Vicki Touchstone to accept the rest of the recommendations. Motion passed unanimously.
- -Vicki Touchstone will send these recommended rankings to Oscar Vasquez to place in the proposed new Facility Finance Plan, which the Regional Issues Committee will review prior to bringing it to the full board.

DUE TO TIME CONSTRAINTS, COMMITTEE AND LIAISON REPORTS WERE DEFERRED TO NEXT MEETING.

ITEM #15 COMMITTEE REPORTS

Bylaws Ad-Hoc.....Richard House
Development Review....Lou Dell Angela

ATTACHMENT 15

ITEM #16 <u>LIAISON REPORTS</u>

ITEM #17 OLD BUSINESS: None.

ITEM #18 NEW BUSINESS: Richard House announced the bylaws adhoc committee will meet the second week in July.

ADJOURMENT: Motion made Fred Gahm/Richard House to adjourn at 8:47 pm. Motion passed unanimously.

Respectfully submitted by Robin Kaufman, Secretary.

NEXT BOARD MEETING:

Thursday July 18, 2013 @ 7:00 PM RB Swim & Tennis Club – Club 21 Room

STANDING SUB-COMMITTEE MEETINGS

AMINSTRATIVE COMMITTEE

6:00 PM - Monday, 10 days prior to Board meeting Swim & Tennis Club

Development Review Committee

5:30 PM - First Tuesday of month RB Swim & Tennis Club - Club 21

Traffic & Transportation Committee

6:00 PM – 4th Monday of month RB Swim & Tennis Club – Club 21

PUBLICITY/ELECTIONS/NOM

... location time TBA

Regional Issues Committee

7:00 PM – Tuesday prior to Admin meeting. RB Swim & Tennis Club – Club 21

Web Site Update Committee

-time and location TBA

OAKS NORTH COMMUNITY CENTER - Proposed Verizon Cell Site

Current Position and Preferences of ONCC

June 19, 2013

- ♦ While the Oaks North Board of Directors still supports the <u>original</u> concept plan and terms between us and Verizon, until the contract issues between ATC and ONCC are resolved we are not in a position to support this project as it stands.
- ♦ Speaking on behalf of the Oaks North Board of Directors we ask that, pending the resolution of these issues through legal determination, all approvals and recommendations related to this project be temporarily withheld.

May - October 2012

- 1. Plancom approached Oaks North with a proposal to construct a new cell site for VERIZON, and provide a monthly lease income.
- 2. The ONCC BOD agreed 'in concept', pending design plans and lease terms.
- 3. Plancom/Verizon begins study on site feasibility and design planning.
- 4. "Concept" plans call for a 30'-40' monopole pine tree with antenna arrays and an enclosed electronic equipment pad about 20'x 40'. These are to be located to the west and north of our main clubhouse building, on a back slope and adjacent to an existing storage shed.

October - January 2012

- Plancom and ONCC discovered that an existing, different, "Lease Sales Agreement" between Oaks North CC and T8 UNISON (signed in June 2011); and agreed that it should be considered because of the location of the Verizon site relative to the UNISON antennas. ATC was contacted and informed.
- 2. Extended correspondence with continued through the fall of 2012 and into 2013.
- 3. In the mean-time, Verizon did provide ONCC with a (draft) Lease Agreement which our attorneys reviewed and commented on.
- 4. ONCC directors also received a copy of this proposal but have not yet commented on it. Based on our attorney's recommendations, this lease agreement will need some amendments. For now, this lease agreement is on the back-burner. (on hold).
- 5. Detailed architectural drawings were issued between Nov. 2012 and Jan. 2013.

Recent (March - June 2013)

- After many communications between American Tower Corp. (new owners of the easement at ONCC), Plancom and ONCC, ATC issued a 'position' letter (April 2013) describing their rights under that June 2011 contract.
- 2. ONCC attorneys prepared a response to the ATC letter (June 2013). (Reviewed by BOD status?).
- 3. This created contention between ONCC and ATC relative to the terms & rights under this contract.
- 4. Simply put, the question is ... Does ONCC have the legal right to negotiate directly with VERIZON/Plancom? OR, Does ATC have sole negotiating rights to negotiate with VERIZON?
- 5. Depending on the final answer we can then address questions regarding the agreement <u>terms</u> with Verizon, <u>approval processes</u> by ONCC for the cell site, final <u>design and construction plans</u>, etc.