

The City of San Diego

# **REPORT TO THE PLANNING COMMISSION**

DATE ISSUED:	March 12, 2015	REPORT NO. PC-15-029
<b>ATTENTION:</b>	Planning Commission, Agenda of March 19, 2015	
SUBJECT:	T-Mobile – Community Congregational PROJECT NO. 375891. PROCESS 4.	
OWNER/ APPLICANT:	COMMUNITY CONGREGATIONAL CH T-MOBILE WEST CORPORATION	URCH OF PACIFIC BEACH/

#### **SUMMARY**

**Issue:** Should the Planning Commission approve a Wireless Communication Facility (WCF) at 2088 Beryl Street, within the Pacific Beach community plan area?

**Staff Recommendation:** APPROVE Conditional Use Permit No. 1435864 and Planned Development Permit No. 1435865.

<u>Community Planning Group Recommendation</u>: The Pacific Beach Planning Group voted to recommend approval of this project, 11-1-2, at their December 2, 2014 meeting (Attachment 12). The minutes indicate that the group has concerns that some of the trees required as part of AT&T's WCF, located adjacent to T-Mobile's project, have died. Staff is contacting AT&T to address this issue.

**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, Section 15301 (Existing Facilities). The environmental exemption determination was made on February 3, 2015 and the opportunity to appeal this determination ended February 18, 2015 (Attachment 7).

**Fiscal Impact Statement:** T-Mobile West Corporation 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

T-Mobile – Community Congregational is an application for a Conditional Use Permit (CUP) and Planned Development Permit (PDP), Process 4, for a Wireless Communication Facility (WCF). The project is located at 2088 Beryl Street on the Community Congregational Church property. The project is located in the RM-1-1 zone, within the Pacific Beach community plan area. The site is generally surrounded by residential uses and Kate Sessions Elementary School to the east (Attachments 1, 2, 3, and 4). WCFs are permitted in residential zones with a non-residential use where the antennas are located less than 100-feet from the property line of an elementary school with a CUP. The project is located within the RM-1-1 zone side setback, which is permitted with the processing of a PDP, Process 4.

This WCF consists of two 30-foot tall light standards, supporting three panel antennas. A 160 square-foot equipment enclosure contains equipment associated with the antennas. The WCF is existing and was originally approved under project number 20690, which was issued October 30, 2003, and is now expired. The current application is for a new permit to continue operating a WCF at this location. This application is subject to the current Land Development Code regulations. No changes are proposed to the WCF.

AT&T Mobility also operates a WCF on this property, which consists of a light standard supporting antennas, a 30-foot tall monocypress tree concealing antennas, and an equipment enclosure.

The WCF Regulations and Council Policy 600-43 encourage wireless providers to locate WCFs away from residential and other sensitive uses by providing lower permit process levels in commercial and industrial zones. WCFs located in commercial and industrial zones are permitted with Process 1 (Staff-level) approvals, whereas WCFs located in a residential zone with a residential use are permitted with a Process 4 (Planning Commission) approval. As this particular project is located in a residential zone with a non-residential use where the antennas are less than 100-feet from the property line of an elementary school use, a CUP is required. While the WCF is not located in one of the *most* preferred locations, the design of the facility is able to effectively integrate the antennas with the surrounding neighborhood and provide wireless coverage to the surrounding residential uses in an unobtrusive manner.

WCFs are required to "use all reasonable means to conceal or minimize the visual impact of the WCF through integration..." Integration with existing structures or among existing uses shall be accomplished through the use of architecture, landscape, and siting solutions. With this project, the antennas are mounted to two 30-foot tall light standards, located on a slope adjacent to the church. Equipment associated with the antennas is located in a building, located adjacent to existing church buildings. The antennas are able to blend in well with the light standards as typical vertical elements. While the top of a slope is not the most common location for light standards, due to the adjacency to the elementary school and the line of existing trees, they do not appear out of place and blend in with the surroundings.

#### **DEVIATION:**

One deviation to the development regulations is requested as part of this project. The light

standards supporting antennas are located within the RM-1-1 zone side setback. This deviation is being permitted with the processing of the corresponding PDP. The location of the antennas is located at the top of a slope, enabling T-Mobile to provide coverage within the surrounding community. While the light standards are located in the setback, they are also situated in an existing line of landscaping, which allows them to integrate with the surroundings.

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

While the Pacific Beach Community Plan does not specifically address WCFs, 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 antennas associated with this WCF are mounted to two 30-foot tall light standards in an existing line of trees. The design of this facility allows the provision of wireless service to the surrounding school and residential uses in a way that is respectful of, and visually compatible with, the surroundings. Equipment associated with the antennas is located in an enclosure adjacent to existing church buildings, not readily visible from the public right-of-way. The project has been designed to be compatible with the neighborhood context and will not adversely affect the applicable land use plans.

#### **Conclusion**:

This project complies with the applicable regulations of the Land Development Code and the City's General Plan and draft findings (Attachment 5) have been made in the affirmative. Therefore, staff recommends approval of CUP No. 1435864 and PDP No. 1435865.

#### ALTERNATIVES

- 1. Approve of CUP No. 1435864 and PDP No. 1435865, with modifications.
- 2. Deny of CUP No. 1435864 and PDP No. 1435865, if the Planning Commission makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

Mike Westlake Assistant Deputy Director Development Services Department

#### VACCHI/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. Community Planning Group Recommendation
- 13. Ownership Disclosure Statement
- 14. Project Chronology
- 15. Notice of Planning Commission Hearing

Alex Hempton, AICP Development Project Manager Development Services Department





## **Aerial Photo**

<u>T-Mobile – Community Congregational – Project Number 375891</u>

2088 Beryl Street



Page 1 of 1

Stevel Clairer ATTACHMENT 3 Sign In . nairo Bunker Hill St Zoom Morena Blvd Kenosha Ave Taos Dr 1000 ft L Moraga Ave North \*\*\* Southyiew Dr De Anza Cove Paducah Dr . DelReySt MorenaBlvd () Report a problem Ulac or Bab 2 Con Raffee Dr Missiun Bay Of CaddenWay Олель N Mission Bay D In-N-Out Burger Astor Karnes Way Conner Way Garnet Ave Mission Bay 📖 Terms Mission Bay Athletic Area SHE Bluffside Ave li Morena Blud Campland on the Bay Conner CL Bond St data @2015 Google Lite mode Canyon Mission Bay High School Grand Ave 15 0003 6 Culvet St Ladd St Rlam Jy Olven EI Balboa pye Soledad Mountain Ro Noyes St Pendleton St Avenida Fiest Google Noyes St Garner Ave Grand Ave Thomas Ave pleed pue ountain Ro inito Herminic Eqðemoun Bq LEW ST LamontSt Beryl Coral Reat Ave Missouri St Jewell St **Project Location Map** Kate O. Sessions Memorial Park Chalcedony St. Bahia LA . Law St. Jewell St Thunderbird La Malden. Garnet Ave Ingraham St P& pepalos Ø 57 - Star Vista St H Mouth O' 15 pualquiot relspar St 6 Loring St Diamond St-Grand Ave Chalcedony St Missouri St Nichtle Dr 15 Mel 101501 10 HOUNDER Berylst Calle Mila. FoortillBud Fanuel Windsor . and shalling Thomas we alles Loring St Niramar TO BASIA 15 Jado B Sile. Fanuel St 50 Ð Gorle Hills Dr Caminito Batea Carninito Halago 30 Everts St Felspar St Loring St. EmeraldSt Diamond St Missouri St Chalcedony St 15 MET pawes St Berylst Willour hve L Tourmaine St. opal St Bayard St Cass St Agate St PH SJabiny Archer St Turquoise St Bayard St Sapphire St Bayard St Mission Blvd plield eve Van Nuys St Moonligh Candlellaht Dr Page 1 of 1's Dure 1050 the por é

2088 Beryl Street

T-Mobile - Community Congregational - Project Number 375891



PROJECT DATA SHEET				
<b>PROJECT NAME:</b>	T-Mobile – Community Congregational			
<b>PROJECT DESCRIPTION:</b>	Wireless Communication Facility (WCF) consisting of antennas mounted on two 30-foot tall light standards with equipment located in a 160 sq. ft. enclosure.			
COMMUNITY PLAN AREA:	Pacific Beach			
DISCRETIONARY ACTIONS:	Conditional Use Permit (CUP) and Planned Development Permit (PDP)			
COMMUNITY PLAN LAND USE DESIGNATION:	Residential			
ZONE: RM-1-1 HEIGHT LIMIT: 30' FRONT SETBACK: 15'/20' SIDE SETBACK: 5'/8' REAR SETBACK: 15'				
ADJACENT PROPERTIES:	LAND USE DESIGNATION &	EXISTING LAND USE		
NODTH	ZONE			
NORTH:	Residential, RS-1-4	Residential		
SOUTH:	Residential, RS-1-7	Residential		
EAST:	Educational, RM-1-1	Elementary School		
WEST:	Residential, RS-1-7	Residential		
DEVIATIONS OR VARIANCES REQUESTED:	Deviation to the RM-1-1 zone side setback.			
COMMUNITY PLANNING GROUP RECOMMENDATION:	The Pacific Beach Planning Group voted 11-1-2 to recommend approval of this project at their December 2, 2014 meeting.			

#### CONDITIONAL USE PERMIT NO. 1435864 PLANNED DEVELOPMENT PERMIT NO. 1435865 T-MOBILE – COMMUNITY CONGREGATIONAL PROJECT NO. 375891 PLANNING COMMISSION

WHEREAS, COMMUNITY CONGREGATIONAL CHURCH OF PACIFIC BEACH, Owner, and T-MOBILE WEST CORPORATION, Permittee, filed an application with the City of San Diego for a permit to construct, operate, and maintain a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1435864 and 1435865);

WHEREAS, the site is located at 2088 Beryl Street in the RM-1-1 zone of the Pacific Beach Community Plan;

WHEREAS, the project site is legally described as: All that portion of Acre Lot 22, of Pacific Beach, according to the Amended Map thereof No. 854, filed in the Office of the Recorder of the County of San Diego;

WHEREAS, on February 3, 2015, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on March 19, 2015, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 1435864 and Planned Development Permit No. 1435865 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 March 19, 2015:

#### FINDINGS:

#### Conditional Use Permit - Section 126.0305

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

While the Pacific Beach Community Plan does not specifically address WCFs, the City of San Diego'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.

The three (3) antennas associated with this WCF are to be mounted to two (2) 30-foot tall light standards. The antennas are concealed within "radomes" (radio-frequency transparent antenna

screens). The light standards are located at the top of a slope, in a landscaped area containing trees, which help to screen and integrate the light standards. Equipment associated with the antennas is located in an enclosure adjacent to the church, which is not readily visible from adjacent properties or the public right-of-way.

The design of this WCF is integrated with the surroundings and respectful of the neighborhood context. The proposed WCF complies with the City's Land Development Code, as well as the requirements of the City's General Plan. The proposed WCF does not adversely affect the applicable land use plan.

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

This project consists of three (3) panel antennas mounted to two 30-foot tall light standards. Equipment associated with the antennas is located in an equipment enclosure adjacent to existing church buildings. The project is located at 2088 Beryl Street in the RM-1-1 zone of the Pacific Beach community plan area.

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

Additionally, the Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Report demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction.

In conclusion, the proposed project will not be detrimental to the public health, safety and welfare.

# 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; and

WCFs are permitted in residential zones, with a non-residential use, where the antennas are located less than 100-feet from the property line of an elementary school with the processing of a CUP, Process 3. The WCF Design Requirements [LDC Section 141.0420(g)(2)] state that WCFs "shall utilize all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or with existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." Three (3) panel antennas will be mounted to two (2) 30-foot tall light standards. Equipment associated with the antennas will be

located in an enclosure adjacent to existing church buildings, not readily visible from the public right-of-way. By locating the antennas on light standards, in an existing landscaped area, the WCF is able to effectively integrate with the trees and other landscape material on the property. This design enables the provision of wireless service to the surrounding residential uses in a way that is visually compatible and integrated with the surroundings, in compliance with the LDC requirements.

This project requests one deviation to the RM-1-1 zone side setback. The light standards are located within the side setback. This deviation is permitted with this Planned Development Permit. The deviation to the setback results in a more desirable project for two main reasons. First, the antennas are able to be located at a height (at the top of the slope) that allows T-Mobile to meet its coverage objective for the surrounding area. If the antennas were located lower, some areas within the coverage objective might not be served which could mean that an additional WCF in a less desirable location could be necessary. Second, the proposed location – in an existing landscaped area – allows the light standards to be screened and integrated with existing trees, reducing the WCF's visibility.

Based on this analysis, the project design, and permits required, this project complies with the applicable regulations of the Land Development Code.

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

The WCF Regulations and Council Policy 600-43 encourage wireless providers to locate WCFs away from residential and other sensitive uses by providing lower permit process levels in commercial and industrial zones. WCFs located in commercial and industrial zones are permitted with Process 1 (Staff-level) approvals, whereas WCFs located in a residential zone with a residential use are permitted with a Process 4 (Planning Commission) approval. As this particular project is located in a residential zone with a non-residential use where the antennas are less than 100-feet from the property line of an elementary school use, a CUP is required. While the WCF is not located in one of the *most* preferred locations, the design of the facility is able to effectively integrate the antennas with the surrounding neighborhood and provide wireless coverage to the surrounding residential uses in an unobtrusive manner. Based on the design of this WCF, the proposed use is appropriate at the proposed location.

#### Planned Development Permit - Section 126.0604

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

While the Pacific Beach Community Plan does not specifically address WCFs, the City of San Diego'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.

The three (3) antennas associated with this WCF are to be mounted to two (2) 30-foot tall light standards. The antennas are concealed within "radomes" (radio-frequency transparent antenna screens). The light standards are located at the top of a slope, in a landscaped area containing trees, which help to screen and integrate the light standards. Equipment associated with the

antennas is located in an enclosure adjacent to the church is not readily visible from adjacent properties or the public right-of-way.

The design of this WCF is integrated with the surroundings and respectful of the neighborhood context. The proposed WCF complies with the City's Land Development Code, as well as the requirements of the City's General Plan. The proposed WCF does not adversely affect the applicable land use plan.

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

This project consists of three (3) panel antennas mounted to two 30-foot tall light standards. Equipment associated with the antennas is located in an equipment enclosure adjacent to existing church buildings. The project is located at 2088 Beryl Street in the RM-1-1 zone of the Pacific Beach community plan area.

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

Additionally, the Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emission to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." A condition has been added to the permit to require a Radio Frequency Electromagnetic Fields Exposure Report demonstrating that the proposed project would be consistent with the FCC's regulations for wireless facilities. Therefore, the project would not result in any significant health or safety risks to the surrounding area within matters of the City's jurisdiction.

In conclusion, the proposed project will not be detrimental to the public health, safety and welfare.

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.

WCFs are permitted in residential zones, with a non-residential use, where the antennas are located less than 100-feet from the property line of an elementary school with the processing of a CUP, Process 3. The WCF Design Requirements [LDC Section 141.0420(g)(2)] state that WCFs "shall utilize all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or with existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." Three (3) panel antennas will be

mounted to two (2) 30-foot tall light standards. Equipment associated with the antennas will be located in an enclosure adjacent to existing church buildings, not readily visible from the public right-of-way. By locating the antennas on light standards, in an existing landscaped area, the WCF is able to effectively integrate with the trees and other landscape material on the property. This design enables the provision of wireless service to the surrounding residential uses in a way that is visually compatible and integrated with the surroundings, in compliance with the LDC requirements.

This project requests one deviation to the RM-1-1 zone side setback. The light standards are located within the side setback. This deviation is permitted with this Planned Development Permit. The deviation to the setback results in a more desirable project for two main reasons. First, the antennas are able to be located at a height (at the top of the slope) that allows T-Mobile to meet its coverage objective for the surrounding area. If the antennas were located lower, some areas within the coverage objective might not be served which could mean that an additional WCF in a less desirable location could be necessary. Second, the proposed location – in an existing landscaped area – allows the light standards to be screened and integrated with existing trees, reducing the WCF's visibility.

Based on this analysis, the project design, and permits required, this project complies with the applicable regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, CONDITIONAL USE PERMIT NO. 1435864 and PLANNED DEVELOPMENT PERMIT NO. 1435865 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1435864 and 1435865, a copy of which is attached hereto and made a part hereof.

Alexander Hempton, AICP Development Project Manager Development Services

Adopted on: March 19, 2015

Internal Order No. 24004810

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

WHEN RECORDED MAIL TO CITY CLERK

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004810

#### CONDITIONAL USE PERMIT NO. 1435864 PLANNED DEVELOPMENT PERMIT NO. 1435865 T-MOBILE – COMMUNITY CONGREGATIONAL PROJECT NO. 375891 PLANNING COMMISSION

This CONDITIONAL USE PERMIT (CUP) NO. 1435864 and PLANNED DEVELOPMENT PERMIT (PDP) NO. 1435865 is granted by the PLANNING COMMISSION of the City of San Diego to COMMUNITY CONGREGATIONAL CHURCH OF PACIFIC BEACH, Owner, and T-MOBILE WEST CORPORATION, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420, 126.0302, and 126.0602. The project is located at 2088 Beryl Street in the RM-1-1 zone of the Pacific Beach Community Plan. The project site is legally described as: All that portion of Acre Lot 22, of Pacific Beach, according to the Amended Map thereof No. 854, filed in the Office of the Recorder of the County of San Diego.

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 March 19, 2015, on file in the Development Services Department.

The project shall include:

a. Three (3) panel antennas, mounted to two 30-foot tall light standards. One light standard supports one (1) panel antenna and the other light standard supports two (2) panel antennas. The antennas are concealed within an 18" diameter by 7'-6" tall "radome" (radio-frequency transparent antenna concealment screen). The antennas, located within radomes on light standards, are intended to be a concealed design, meant to mimic the silhouette of a typical light standard. The antenna dimensions are: 59.0" by 11.9" by 6.3";

- b. Equipment associated with the antennas is located in a 160 square foot equipment enclosure;
- c. The project deviates from the RM-1-1 zone side setback requirements, which is permitted with the processing of this PDP;
- 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.

#### 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 April 3, 2018.

2. This CUP and corresponding use of this site shall expire on April 3, 2025. 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 determinednecessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

13. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the

City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

#### LANDSCAPE REQUIREMENTS:

14. The Permittee/Owner shall ensure that trees adjacent to the light standards remain in a healthy growing condition. Trees shall not be topped or improperly pruned. Approval by Development Services is required prior to any significant pruning or tree removal. Exhibit "A" photo simulations illustrate the existing trees.

#### PLANNING/DESIGN REQUIREMENTS:

15. Antennas shall be concealed within the radome, painted and textured to match the existing light standard. Cables and other wiring shall be routed internally within the light standard. No overhead cabling is permitted.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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 on March 19, 2015 and [Approved Resolution Number].

Permit Type/PTS Approval No.: CUP No. 1435864 & PDP No. 1435865 Date of Approval: 3/19/2015

# 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.

#### COMMUNITY CONGREGATIONAL CHURCH OF PACIFIC BEACH Owner

By

NAME TITLE

T-MOBILE Permittee

By\_

NAME TITLE

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

Page 6 of 6



THE CITY OF SAN DIEGO

#### Date of Notice: February 3, 2015 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24004810

PROJECT NAME/NUMBER:T-Mobile Community Congreg/ PTS# 375891COMMUNITY PLAN AREA:Pacific Beach Community Planning AreaCOUNCIL DISTRICT:2LOCATION:The project site is located at 2088 Beryl Street, San Diego CA.

**PROJECT DESCRIPTION:** Conditional Use Permit (CUP) and Planned Development Permit (PDP) for a Wireless Communication Facility (WCF) consisting of two existing 30-foot high light standards, supporting a total of three panel antennas, and a 160 square foot equipment enclosure. The project is not proposing any physical changes.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

**ENVIRONMENTAL DETERMINATION:** CATEGORICAL EXEMPTION: (SECTION 15301 EXISTING FACILITIES)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

#### STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:

The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) which allows for the operation and permitting of existing facilities. Since the project is not making any changes to the existing WCF and is not increasing capacity the exemption is appropriate and the exceptions listed in CEQA Section 15300.2 would not apply.

<b>DEVELOPMENT PROJECT MANAGER:</b>	Alex Hempton
MAILING ADDRESS:	1222 First Avenue, MS 501 San Diego, CA
	92101
PHONE NUMBER:	(619) 446-5349

On 2/3/2015 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice and therefore the appeal period would end on 2/18/15. 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.

# **T** · · Mobile · · ·

# SD06536A Photo Simulation – West Elevation



**BEFORE** 

Mounted to 2 **Light Poles** 



# **AFTER**

**Antennas Mounted** to Light Poles. No changes proposed.

# **T** · · Mobile · · · SD06536A Photo Simulation – East Elevation





# 

# **T** · · Mobile · · ·

# SD06536A Photo Simulation –South Elevation



# **BEFORE**



**AFTER** 

Antennas Mounted to 2 Light Pole. No changes proposed.

T. . Mobile . .

SD06536A Photo Simulation –Equipment Enclosure





#### ATTACHMENT 9

#### T-Mobile SD06536A Community Congregation TELECOM SITE JUSTIFICATION LETTER

1. Description of the location, type, capacity, field strength or power density, and calculated geographic service area of the proposed antenna or antenna array.

#### LOCATION AND TYPE

T-Mobile continues the operation of and existing telecommunications facility at 2088 BERYL STREET. The facility was originally approved on June 21, 2004 by NUP # 118564, PTS #20690. The permit is included in this NUP application. The project consists of three (3) panel antennas mounted on two existing 30 feet high light poles with ray domes. There are existing cabinets within an existing equipment enclosure at ground. This proposed facility is unmanned, operating 24 hours a day. The only visits to the site will consist of any emergency calls as well as regular maintenance visits once every four to six weeks.

#### FREQUENCY AND POWER SPECIFICATIONS

The transmitting frequency for the T-Mobile system is 1950-1965 Megahertz. The receiving frequency is 1870-1885 Megahertz.

#### **COVERAGE AND CAPACITY**

The objective of this proposed site is to provide coverage and capacity within the residential area to the north, east, south and west and also to connect the coverage gaps to the surrounding sites. Please refer to the existing coverage map that illustrates the existing coverage gap. The site will provide coverage in a current gap and provide additional capacity, allowing more users to use the system simultaneously and will provide "off-load" capacity for adjacent sites currently operating within a 1-mile radius from this proposed site (see attached map).

2. Location of all existing, proposed and anticipated wireless communications facilities in the Applicant/Permitee's network located within a 1 mile radius from proposed site.

Please refer to justification map and to coverage maps attached.

#### ATTACHMENT 9

#### SD06536A Community Congregation Telecom Site Justification

3. A description of how the proposed facility fits into, and is a necessary part of, the Applicant/Permitee's network.

The objective of this proposed site is to provide coverage and capacity within the residential area to the north, east, south and west and also to connect with the surrounding sites. Please refer to the existing coverage map that illustrates the existing coverage gap. The site will provide coverage in a current gap and provide additional capacity, allowing more users to use the system simultaneously and will provide "off-load" capacity for adjacent sites currently operating within a 1-mile radius from this proposed site (see attached map).

4. If the proposal does not include co-location, written documentation of all efforts made to colocate at another site, and a justification for the decision not to co-locate.

AT&T is the other wireless carrier at this site. Therefore, we are co-locating at this property.

5. Discuss Alternative Sites and why they were not selected.

This site is located on residential use surrounded by single and multi-family residential zones. The search ring is primarily residential. The proposed site was initially selected because of its height above the coverage area and ability to fill the coverage gap and connect to surrounding sites. It is now selected again because it's an existing site where T-Mobile would like to continue operating. As you can see from the Official Zoning Map and Google Earth View, in the Justification Maps, you can see that this search ring is primarily residential use. Any alternate candidates would have to be located on a single family residential home or a ROW site that would need at least three light standards to make relocating this site comparable to what is existing. Please refer to aerial and coverage maps provided.







Page 4 of 9



# **Contents:**

···**T**··Mobile·

**Plots:** 

- SD06536A Coverage
- Existing On-Air sites coverage without SD06536A
- SD06536A with existing On-Air neighbor sites coverage







# ATTACHMENT 9 Existing On-Air sites coverage without SD06536A



# ATTACHMENT 9 Existing On-Air sites coverage with SD06536A



#### ATTACHMENT 10

### T-Mobile SD06536A Community Congregational Church Photo Survey Key Map





- 1. View of North Elevation of site.
- 2. View of South Elevation of site.




3. View of East Elevation of site.

4. View of West Elevation of site.





5. View looking North from site.6. View looking East from site.





8. View looking West from site.



# **T** - **Mobile B** COMMUNITY CONGREGATIONAL CHURCH SD06536A

2088 BERYL STREET SAN DIEGO, CA 92109

### PROJECT INFORMATION

### PROJECT DESCRIPTION:

T-MOBILE PROPOSES THE CONTINUAL USE OF AN UNMANNED TELECOMMUNICATIONS FACILITY AT EXISTING SITE. THIS CONSTITUTES AS AN APPLICATION FOR A NEW ZONING APPROVAL/LAND USE PERMIT. THERE WILL BE NO PROPOSED CHANGES TO THE EXISTING T-MOBILE ANTENNA (1 PER SECTOR, 3 TOTAL) WITHIN EXISTING LIGHT POLES.

APPLICANT: T-MOBILE 10509 VISTA SORRENTO PKWY, SUITE 206 SAN DIEGO, CA 92121

 CODE
 INFORMATION:

 ZONING CLASSIFICATION:
 RM-1-1

 BUILDING CODE:
 2013 CBC

 CONSTRUCTION TYPE:
 V-N

 OCCUPANCY:
 S-2

 JURISDICTION:
 CITY OF SAN DIEGO

 CURRENT USE:
 TELECOMMUNICATIONS FACILITY

 PROPOSED USE:
 TELECOMMUNICATIONS FACILITY

TELCO COMPANY; AT&T PH: TBD

POWER COMPANY: SDG&E PH: TBD

 SITE LOCATION:
 (BASED ON NAD 83);

 LATTUDE:
 32' 48' 31.966" N (32.80888)

 LONGITUDE:
 117' 14' 0.9594" W (-117.2336)

 TOP OF STRUCTURE AGL:
 31'-6"

 BASE OF STRUCTURE AGL:
 31'-6"

PARCEL NUMBER(S):

YEAR BUILT

### LEGAL DESCRIPTION

LOT 1 OF CHURCH IN THE VALE, IN THE CITY OF LA JOLLA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA PER MAP NO. 5700, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 25, 1966.

### **PROJECT TEAM**

PROJECT ARCHITECT THOMAS R. HOLLAND, AA PACIFIC TELECOM SERVICES, LLC 3199 C ARPORT LOOP DRIVE COSTA MESA, CA 92626 CONTACT: NICK BRITT PH: (619) 322-6425 EMAIL: NBRITT@PTSWA.COM PROJECT CONSULTANT DEPRATTI, INC 13948 CALLE BUENO GANAR JAMUL, CA 91935 CONTACT: CAITLYN KES PH: (858) 572-9938

### PROPERTY OWNER: COMMUNITY CONGREGATIONAL CHURCH OF PACIFIC BEACH 2088 BERTL STREET SAN DIEGO, CA 92109 CONTACT: CHUCK MILGORE PH: (619) 665-9336

CONSTRUCTION MANAGER: DEPRATH, INC. 13948 CALLE BUENO, GAINAR JAMUL, CA 91935 CONTACT: PAUL HOKENESS EMAIL: PHOKENESS@DEPRATHINC.COM PH: (858) 231-8889

### LEASING & PLANNING: DEPRATI, INC. 13948 CALLE BUENO, GANAR JAMUL, CA 91935 CONTACT: CATLYN KES EMAIL: CKESØDEPRATTINC.COM PH: (856) 572-9938

EONTACT: CATLYN KES EMAIL: CKESBOEFRATTINC.COM PH: (856) 572-9938 NOTE: 1. NO STRUCTURAL CHANGES, NO ELECTRICAL CHANGES AND NO NEW OR ADDITIONAL BATTERIES.

2. THE EXISTING MONOTREE ENCROACHES UPON THE SIDE SETBACK, THIS IS A DEVIATION OF THE CITY OF SAN DIEGO RM-1-1 ZONE SETBACKS.





DRIVI	NG E	DIRECTIONS		
FROM T-MOB	ILE OFFICE,	SAN DIEGO, CA:		
HEAD NORTH-	-WEST ON	VISTA SORRENTO PKWY TOWARDS LUSK BLVD	0.4	N
TURN LEFT ONTO SORRENTO VALLEY BLVD			0.2	ħ
TURN RIGHT ONTO ROSELLE ST			459	F
TURN LEFT T	O MERGE O	NTO I-5 S	8.5	ħ
TAKE THE EX	TAKE THE EXIT TOWARDS BALBOA AVE/GARNET AVE			k
MERGE ONTO	MERGE ONTO MISSION BAY DR			Å
TURN RIGHT	TURN RIGHT ONTO GARNET AVE			5 N
TURN RIGHT ONTO SOLEDAD MOUNTAIN RD			0.5	N
TURN LEFT C	TURN LEFT ONTO BERYL ST, DESTINATION WILL BE ON THE RIGHT			N
2088 BERYL	ST, SAN DI	EGO, CA 92109, USA		
APPROVAL	DATE	SIGNATURE		~~
LANDLORD:	1			
CONST:	1			
S/A:			••••••	
R.F.;				
ZONING:				
A&E:	1			
·····	1	· · · · · · · · · · · · · · · · · · ·		
REVIEWERS	S SHALL CL	LEARLY PLACE INITIALS ADJACENT TO EACH REDLINE NOTE AS DRAWINGS ARE BEING	REVIEWED	-

# DRAWING INDEX SHEET DESCRIPTION T-1 TITLE SHEET A-1 SITE PLAN A-2 ENLARGED SITE PLAN A-3 EXISTING EQUIPMENT & ANTENNA PLAN A-4 EXISTING NORTH & EAST ELEVATION A-5 EXISTING SOUTH & WEST ELEVATION A-6 ANTENNA SPECIFICATIONS & DETAILS

			E	XISTING RF
SECTOR	AZIMUTH	RAD CENTER	# OF ANTENNAS	ANTENNA
ајрна	a	27'⊶3*	1	ANOREW THE
BETA	120'	27'-3*	1	ANDREW THE
Салана	240'	27'-3*	1	ANDREW THB)
Note: Verify with				

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OF DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.





	SUBJEC	T BOUNDARY LINE
• •	RIGHT-	DF-WAY CENTERLINE
·····	RIGHT-0	OF-WAY LINE
	ADJACEI	VT BOUNDARY LINE
	SECTION	IAL BREAKDOWN LINE
COAX	COAXIAL	CABLE LINE
FIBER	FIBER C	PTIC CABLE LINE
OHP	OVERHE	AD POWER LINE
930	BURIED	POWER LINE
GAS	BURIED	GAS LINE
QHT	OVERHE	AD TELEPHONE LINE
~~~~ /i(i? ~~~~	BURIED	TELEPHONE LINE
₩₩₩	BURIED	WATER LINE
\$\$	BURIED	SANITARY SEWER
sþ	BURIED	STORM DRAIN
	олсн і	INE/FLOW LINE
· · · · · ·	ROCK R	ETAINING WALL
· • · · · •	VEGETAT	ION LINE
x x	CHAIN L	JNK FENCE
	WOOD F	ENCE
X X X	BARBED	WIRE/WIRE FENCE
MER	Ŷ	FIRE HYDRANT
NDARD	N	GATE VALVE
ULT	88	WATER METER
x	Ω	FIRE STAND PIPE
DLE		CATCH BASIN, TYPE I
WIRE	0	CATCH BASIN, TYPE II
5	.n.	SIGN
R	٩	BOLLARD

13	MAIL	BOX
234.21	SPOT	ELEVATIC















# Pacific Beach Planning Group

Minutes – Dec 2, 2014

**1. 6:32pm meeting called to order,** quorum established. Attendees: Brian Curry, Curtis Patterson, Eve Anderson, Michael Beltran, Kathy Combs, Deborah Conca, Patricia Dobson, Larry Emlaw, Don Gross, James Krokee, Imelda McClendon, Henish Pulickal, William Ramirez, Karen Sumek, Baylor Triplett and Joe Wilding **Members not present:** Hilary Lowe, Scott Chipman, Paul Falcone, Chris Olson

### 2. Current Agenda – Modification & Approval:

Modifications:

-Wrong address for #4 on development subcommittee: 1367-69 Felspar. -Subcommittee not going to approve cell phone towers and related items in the future. -Adding Congregational church T-Mobile cell phone tower extension to development subcommittee action items. Needs a vote to add to agenda. 11-0

Eve made a motion to approve the agenda, Curtis seconded, **Motion Passed 11-0-0.** 

### **3. October 22, 2014 Minutes - Modifications and Approval:** Modifications:

- Chris Olson on PB pathways under item 9. A brief history of Pacific Beach EcoDistrict was given and a presentation of the proposed PBPG specific list of action items. Re: Phase 1, signage, markers – approved. Motion: Chris Olson. Second: Curtis. Passed 16-1-0. Don Gross against.
- 2. PB Pathways (Phase 1 routes, sharrows, markers and signage). Committee recommends motion to approve. Chris Olson made a motion to approve the Phase One routes for implementation of the following PB Pathways Elements: Sharrows, Pavement Wayfinding Markers and signage using the concepts presented. The phase one routes are a) Ocean Front Walk (boardwalk) to bike path at Mike Gotch Bridge via Reed Ave, Haines Street, and PB Drive. b) Ocean Front Walk (boardwalk) to intersection of Haines and Diamond via Law Street and Haines c) Van Nuys Street to Bayside Walk (boardwalk) via Cass Street, d) Turquoise St. to Bayside walk (boardwalk) via Fanuel Street e) Cass St. to Olney Street via Diamond. Second: Eve Anderson. Passed 15-1-1. Against: Don Gross (other ways to do this). Abstain: James Krokee (too many signs).

Debra made a motion to approve October minutes as amended. Karen seconded, **Motion Passed 13-0-0.** 

### 4. Chair's Remarks

- Michael McQuary board of education trustee. Contacted Brian regarding PBPG involvement, MB high school, middle school and pacific language school. Wants a representative to be a liaison from our group to his group. Karen Sumak and Pat will be representatives. Passed 13-0 - Electric charging station, 8 stations on Reed. Counter proposal was 4 in library, 4 on street. Library said no to parking spots. Operator still wants to do 4 on the street. Don Gross: 3 charging stations in MB Park.

-CPC code update regarding SANDAG. Small carport ordinance. Regarding attached housing or detached units. CPC approved the ordinance.

- Drainage channel clean out was approved. No more flooding at MB high school. Focus on vegetation, trash and silt. Don will need to contact others regarding trees. Don Gross: Still "hideout" areas.

5. Non-Agenda Public Comments (Note: 2 minutes maximum per speaker)

**Don Gross:** PB lost \$1M. District 2 has \$900k. We don't have any money for neighborhood repairs. Group that has the money doesn't have an EcoDistrict.

**Sara Berns:** Holiday Events: Dec 13 all day in PB. San Diego Santa Run 5k at 10AM. PB Holiday parade at 1:00PM. Haines to Bayard. Christmas on Crystal Pier from 2-5pm with Santa Claus. \$10 for digital picture on pier. Tree lighting at 5PM.

**Eve Anderson:** 1: SANDAG turned down by courts for transportation plan. 2. Shuttle to downtown turned down by the court. Wants traffic subcommittee to address it. Wants PB to be the first to have it.

**Henish Pulickal**: PROW update. 92 total violations – 24 corrected or applied for PROW. Most of the news racks have been removed or permitted. Only 2 publishers remaining that city is trying to contact for newsracks.

**Frances Fellers**: Tarrant has been the best rep for our area. Roland Bush is also great staff. Writes great letters. Thank you to city staff.

**Joe Wilding**: 1. Mossy Toyota gave 34 trucks to lifeguards for free. 2. Went to Rosedale and on Rosedale Ave all traffic lights turn green. Lights in our city are not coordinated. Need lights to coordinate. 3. Overpopulation, change 30' height limit to 20' feet.

**Alan Harris:** Dark for December (no meeting for PBTC). Next meeting location will be Crown Point music academy at 6:30, January 22<sup>nd</sup>. Thanks to Imelda for 25 Cities presentation. Thanks to Joe W for his service. Thanks to Ed Harris and Tarrant and Chet. PROW audit. Gave certification.

### 6. Government Office Report: (Informational Item)

Presenter: Councilmember Ed Harris (Council District 2)

*Brian Curry:* Thanks for help with code compliance, EcoDistrict, PB pathways, diligence shutting down medicinal marijuana dispensaries.

Councilmember Harris. His honor serving us. Liked representing neighborhoods and taxpayers. Brought Toyota deal to city for free trucks. Never wanted to be a politician. Was on dive team and became intolerant of gov't. Money allocated based on political power and not need. Represented lifeguard since 2000. By 2009 trucks and boats undependable. Bad day for a lifeguard is a tragic day for a family. Gave him a different perspective being in this office. Moving forward continue with community involvement. Only 30% voting. Calling on all groups, town councils, any civic organization. \$1.2 million spending on council member campaign, what is bought with that? General populace needs to have a voice. Some say community group isn't powerful enough. Need to bypass that. Only way to ensure our voice is by voting. Register, educate, and vote. Political strategy is to create negativity to avoid polls. Learned how to be effective. If issue is not in councilmember's budget, it's not a priority. Review community budget. Go to councilmember and tell them to put our issues on their budget. Need to get at least 4 council members to get on budget. As a group, do what lobbyists do. Why do councilmembers dictate rules of forum? Public should be able to ask any questions. Gov't works for people. Spread around some money \$60k into PB. \$30k for cross walk. Bike trails, etc. Marijuana dispensaries: shut down plenty. \$3m sitting in a fund from closed dispensaries. Use that money for police and code enforcement was his recommendation, but couldn't do that, ran out of time. Grew up in Orange County, played in fields, creeks. When he grew up everything was paved over. Then it took 2 hours to drive to beach because of traffic. Places

being built without adequate parking, b/c it's close to transportation. But these residents don't use public transit. If residents take up all street parking, no room for visitors. Supports mass transit. \$60m in budget surplus next year. Go after the money and make sure it's in the budget memo with Lori and other council members. PB deserves the money it generates from tourism. The priority budget is public info. Mayor's office puts out the budget. Independent Budget Analysis, Tarrant will forward. Gives key budget dates. Belmont Park: Things that are rushed are not disclosing something. Didn't support the deal. Did away with a key provision, requiring 2.5% spent for improvement annually. That comes to \$650k for investment back into the park per year. Over 50 years, that total is \$68m. City of San Diego would be paying for bar stools, glasses, stoves. Not a good deal. It's nuts. There's enough money in the city to be run very well. Audit ground leases and figure out where money is going.

- 1. Jim Krokee: vacation rentals: Additional staff with compliance, possibly police. Needs for monitoring and enforcing vacation rental issues.
  - a. Code compliance officer is \$100k/year. Funded for extra, but not up and running.
  - b. Belmont Park: Previous owner supports Ed Harris. Lessee is 100% responsible for the Plunge, pool and building. Effect: Company bought lease for 25% of value. Should be getting \$1.3m/year for the lease. That's way too low. Rent credits reduce profit by half. \$600-700k. Could pay for code compliance officers. Any time we don't get our city revenue, it affects our account. City has lost over \$4m in 25 years. We have to get fair market value for our assets.
- 2. Larry Emlaw: condo conversion issue. Density is becoming a real problem. SFR turning into 2-4 homes. Garage conversions.
  - a. Need to change community plan. Lori is on land use committee. Needs to go through that committee. Have to get town council and community on board. Not opposed to density, but doesn't believe it should be right here (PB). Should be along transit lines. There's so much money to be made that developers are tweaking how they can make money. Don't have infrastructure to support increased density. Let's get trolley line down Grand ave. Infrastructure first, development 2<sup>nd</sup>. Didn't see that happen in Mission Valley.
- 3. Don Gross: No one says anything bad about Ed Harris. Presenting a news clipping regarding getting \$1m.

Tarrant: Few projects: 1. Tree removed from S. Graham.

2. Working on sidewalk at Tourmaline and Dawes.

- 3. Crosswalks, Ingraham and La Playa and Fortuna
- 4. Newspaper racks, 2 vendors left. Everyone else cleaned up.

5. Introduce Liselle, works for Lori Zapf.

Liselle: Worked for 2 councilmembers. For 8 years total. Policy work and PB is her only community. Invitation to inauguration at next Wednesday 10AM. Golden Hall. Eve invited her to PB events, parade and PB town council.

### 7. Election Subcommittee Update (Informational Item)

Presenter: Imelda McClendon

- Reviewed bylaws and handbook. Elections in March. Eligibility, live in census tract or business owner. Need photo id and/or utility bill. Commercial rep: owner, or letter from owner designating employee. Packet has application, 25 signature petition. Turn in packets by March 11, 5pm. Pickup/drop-off location will be updated online.
- Election procedures: Wednesday March 25, 4:45 6:30PM. Different tables for residential/commercial. Thorough counting process. Coin toss if tie. Seated in April. Challenges need to be received within 24 hours to Imelda. Need to attend 1 meeting in

past 12 months. Vacancies: 77.00, 78.00, 79.01, 79.03, 79.04, 80.01, 80.02/83.10, 3 commercial vacancies. Needs one more public member for subcommittee.

### 8. Vacation Rentals Ad Hoc Subcommittee (Informational Item)

Presenter: James Krokee

- First meeting was November. 33 attended. Half for/against. Discussed issues. Sent out minutes by email. 2 recommendations: 1. Permit at the city level/ordinance. Most other cities have permits. Most people agreed to that. Needs to have several components. 2. Restrictions on vacation rentals. Next meeting is Saturday in library at 10am. Asking for more members. Putting together statement of concern. Didn't say "28 day minimum," as printed in paper. Short term rental is less than 28 days. Will ask Lori to budget for permits, compliance and zoning issues. January 10, 11:30-1:30 is follow up meeting.
- Frances Feller: lives near crystal pier in 76 unit condo. Started as mostly owners, now lots of short term rentals.

### \*William Ramirez left

### 9. Development Subcommittee (Action Items)

Presenter: Curtis Patterson

- 1. T-Mobile project: Katelyn. Community Congressional Church. Parking lot lights that have antennae in them. Needs permit for another 10 years. Current permit about to expire.
  - a. Brian Curry: AT&T already in fake trees. No need to pass, already approved by FCC. Trees weren't maintained and they died.
    - i. Katelyn: should have been joint responsibility of church and AT&T.
  - b. Motion: Mike Beltran. Second: Deb Conca. Passed 11-1-2. Against: Patricia Dobson. Abstain: Kathy Combs and Don Gross.
- 2. 3954 Haines Street (PTS# 386464)

CDP to construct two new single-family residences

Subcommittee recommends motion to approve with recommendations.

- a. Curtis: Jacaranda trees. Carport letter regarding walls must be open. Parking exceeded parking requirements. 2 needed, 4 provided. Requested drought tolerant landscaping. 3 bedroom
- b. Scott presenting: basement parking. Upside down plan, bedrooms on main floor, living space on 2<sup>nd</sup> floor to take advantage of views to the west.
  Contemporary design, stucco and porcelain. Height, 24'7" on Haines, on alley 30'. Lot size: 2,500.
  - i. Rob (project owner): He's built 22 homes. 11 vacation homes. 11 long term, 5 families. Only one home with more than 2 drivers.
  - ii. Public: Solar? Yes.
  - iii. Don Gross: If it was a lot split, should be 3,000. Using grandfathered lots is not allowed.
  - iv. Curtis: two existing legal lots.
  - v. Motion: Mike Beltran. Second: Curtis. Passed 12-2. Against: Larry Emlaw (typical development), Don Gross (not on 3,000 sq ft. lot).
- 3. 945 Law Street (PTS# 386474)

CDP to construct two new single-family residences.

Subcommittee recommends motion to approve with recommendations.

- a. Curtis: photovoltaic, jacaranda street trees, carport letter, self-assessment rubric completed. Buyers wanted front yard instead of back yard. Preferred front yard fence. Drought tolerant landscaping
- b. Scott: 3,100sf lot, 2,300sf house. 2 car open garage, 4 bed/3bath. Set back 30'.
- c. Motion: Curtis. Second: Michael Beltran. Passed 9-5. Against: Eve Anderson (parking), Larry Emlaw ("Beach disease"), Don Gross, Baylor Triplett, Joe Wilding (Density).
- 4. 871 Agate Street

Two-unit condominium conversion.

- Subcommittee recommends motion to approve with recommendations.
  - a. Drought tolerant plants. Passed subcommittee 4-1.
  - b. Don: 2 lots merged into one lot. Two 3 bed condos. 4 parking spots.
  - c. Building under density. Easement is main reason. Just changing legal title. Currently apartments, changing to condo.
  - d. Motion: Curtis. Second: Pat Dobson. Passed 11-2-1: Against: Larry Emlaw (Parking), Don Gross ("Hustle committee"), Abstain: Baylor Triplett (parking)
- 5. 1367-69 Felspar (PTS# 381122)
  - CDP to construct four new condominiums.

Subcommittee recommends motion to approve with recommendations.

- a. Curtis: loft not to be used as bedroom. Fence project due to proximity to school.
- b. 2 car garage for each unit. 3 story building. All to code. Under FAR. Walls between units have sound insulation. Double stud walls.
- c. Don Gross: How many adults live in these units? i. 8 adults.
- d. Jim Krokee: Mini dorm concern.
  - i. Curtis: It's on title that they are 2 bedroom units. Loft can't count as bedroom. Loft is 7x10. Too small for a bedroom.
- e. Lot size 6200 sf, 50x125 RM 2-5.
- f. Motion: Curtis. Second: Deb Conca. Passed 12-3: Against, Karen Sumek (didn't change landscaping), Joe Wilding ("which jelly donut made me fat?," doesn't like 30 foot development), Don Gross.

\***MOTION** to extend until 8:40. Mike 1<sup>st</sup>, Joe 2<sup>nd</sup>. 16-0 approved.

### 10. Traffic & Parking Subcommittees (Action & Information Items)

Presenter: Michael Beltran

1. Foothill Boulevard (Action Item)

Committee recommends motion to "Lower the speed limit to 25 mph on Foothill Blvd and implement the traffic circles and other "complete street" elements for bicycle, pedestrian and vehicular safety on Foothill Blvd. between Fanuel and Beryl."

- a. 25mph due to speed trap laws. Average speed was 33.4. So city raised speed to 30mph so it's radar enforceable. Residents don't like it, want 25 mph. Lots of crashes, residents are posting signs. Subcommittee voted to reduce speed to 25mph 5-0-0.
- b. Jeff Rosen: cars are going faster. 59 residents on foothill, most signed petition. Only people that didn't sign weren't home.
- c. Went up to 30mph in September, we found out after the fact.

d. Baylor: can we do speed dips? -

i. Brian Curry: not sure if it's part of "complete streets."

- e. Joe Wilding: lots of areas need to have lower speeds, especially near schools.
- f. Allan: installing 2 solar speed signs.
- g. Motion: Imelda. Second: Mike Beltran. Approved 14-0

### 11. Other Subcommittees (Action & Information Items)

Code Enforcement: Henish Pulickal - nothing

Communications Subcommittee: Baylor Triplett - creating a vacation rental section on website. Special Events: Eve Anderson - A new At-Large member was elected by the board: Norm Kleyh, who is a property manager in PB. The committee will elect officers in January.

### 12. Meeting Adjourned at 8:41pm.

(Next Meeting: Wednesday, January 28, 2014)

City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement		
Approval Type: Check appropriate box for type of approval (s) requested R Neighborhood Development Permit Variance Tentative Map Vesting Tentative Map Map Waiv Project Title	Planned Development Permit Conditional Use Permit		
T-Mobile Community Congregation Project Address:			
2088 BERYL STREET. SAN DIEGO			
Part I - To be completed when property is held by Individual(s	n New process sum a call and having a serify mean processing a constant of the set of 10 benefit of		
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.			
Name of Individual (type or print):	Name of Individual (type or print):		
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency		
Street Address: City/State/Zip:	Street Address: City/State/Zip:		
Phone No: Fax No:	Phone No: Fax No:		
Signature : Date:	Signature : Date:		
Name of Individual (type or print):	Name of Individual (type or print):		
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency		
Street Address:	Street Address:		
City/State/Zip:	City/State/Zip:		
Phone No: Fax No:	Phone No: Fax No:		
Signature : Date:	Signature : Date:		

Printed on recycled paper. Visit our web site at <a href="http://www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> Upon request, this information is available in alternative formats for persons with disabilities. DS-318 (5-05)

ject Title: T-Mobile Community Congregation	Project No. (For City Use Only)
art II - To be completed when property is held by a corpo	pration or partnership
egal Status (please check):	
Corporation CLimited Liability -or- CGeneral) What Partnership	State? Corporate Identification No
s identified above, will be filed with the City of San Diego on e property Please list below the names, titles and address herwise, and state the type of property interest (e.g., tenants a partnership who own the property). <u>A signature is require</u> operty. Attach additional pages if needed. Note: The applica whership during the time the application is being processed	acknowledge that an application for a permit, map or other matter, the subject property with the intent to record an encumbrance against as of all persons who have an interest in the property, recorded or s who will benefit from the permit, all corporate officers, and all partners ed of at least one of the corporate officers or partners who own the ant is responsible for notifying the Project Manager of any changes in or considered. Changes in ownership are to be given to the Project subject property. Failure to provide accurate and current ownership additional pages attached Yes X No
Corporate/Partnership Name (type or print);	Corporate/Partnership Name (type or print):
T-Mobile USA, Inc Owner Tenant/Lessee	COMMUNITY CONGREGATIONAL CHURCH OF F
Street Address:	Sirael Address:
10509 Vista Sorrento Parkway, Suite 206	2088 BERYL ST.
City/State/Zip: San Diego, Ca 92121	City/State/Zip: DAN DIEgo, CA 92109
Phone No: Fex No: 858-334-6139 858-334-6198	Phone No: 858-274-6600 Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Pariner (type or print):
JON ZUMSTEG Title (lype or print)	Tille (type or print)
VICÉ PRESIDENT Signature Date	CHAIR of BOARD of Trustees Signature Date
	Elikabeth R. Breeden 4/15/14
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenani/Lessee	Owner Tenant/Lessee
Street Address.	Street Address:
City/State/Zip:	City/State/Zip
Phone No: Fax No:	Phone No Fax No
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (typa or print).	Tille (type or print):
Signature : Date:	Signature Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessae	Owner Tenant/Lessee
Straet Address	Street Address
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Official/Pariner (type or print):	Name of Corporate Officer/Partner (typa or print)
Title (to see as what):	Title (type or print).
Title (Iype or print):	

### T-Mobile Board



Timotheus Höttges





W. Michael Barnes



Srikant M. Datar



Bruno Jacobfeuerborn



Thorsten Langheim



Kelvin R. Westbrook









# **Project Chronology**

### T-Mobile – Community Congregational – Project No. 375891

Date	Action	Description	City Review Time	Applicant Response Time
10/17/2014	First Submittal	Project Deemed Complete		
11/25/2014	First Assessment Letter		39	
12/11/2014	Second Submittal			16
1/2/2015	All issues resolved		22	
3/19/2015	Public Hearing – Planning Commission		76	
TOTAL STAFF TIME			137	
TOTAL APPLICANT TIME				16
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission Hearing	153 (in calendar days)	



THE CITY OF SAN DIEGO

### DATE OF NOTICE: March 5, 2015

# NOTICE OF PUBLIC HEARING PLANNING COMMISSION

CITY PROJECT MANAGER:	Alex Hempton, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5349/ahempton@sandiego.gov
COMMUNITY PLAN AREA:	Pacific Beach
COUNCIL DISTRICT:	District 2
PROJECT NUMBER:	375891
PROJECT NAME:	<u>T-MOBILE – COMMUNITY CONGREGATIONAL</u>
APPLICANT:	Debra DePratti, DePratti, Inc., agents representing T-Mobile
<b>PROJECT TYPE:</b>	CONDITIONAL USE PERMIT AND PLANNED DEVELOPMENT PERMIT, PROCESS FOUR
DATE OF HEARING: TIME OF HEARING: LOCATION OF HEARING:	March 19, 2015 9:00 A.M. Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101

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 panel antennas mounted on two 30-foot tall light standards and an associated equipment enclosure. The project is located at 2088 Beryl Street.

The decision of the Planning Commission is final unless the project is appealed to the City Council. In order to appeal the decision of the Planning Commission you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Planning Commission before the close of the public hearing. Please <u>do not</u> e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at <u>www.sandiego.gov/development-services</u> or in person at the office of the City Clerk, 202 "C" Street, Second Floor. The appeal must be made within 10 business 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 February 3, 2015 and the opportunity to appeal that determination ended February 18, 2015.

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

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

Internal Order Number: 24004810

Revised 11-17-14