

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	October 22, 2015	REPORT NO. PC-15-119
ATTENTION:	Planning Commission, Agenda of Octobe	er 29, 2015
SUBJECT:	SPRINT WESLEY PALMS - PROJECT PROCESS FOUR	NO. 417284
OWNER:	Front Porch Communities and Services	

APPLICANT: Sprint PCS Assets LLC

SUMMARY

Issue(s): Should the Planning Commission approve a Wireless Communication Facility located at 2404 Loring Street in the RS-1-4 zone of the Pacific Beach Community Plan area?

<u>Staff Recommendation(s)</u>: APPROVE Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823.

<u>Community Planning Group Recommendation</u>: On August 26, 2015, the Pacific Beach Planning Group placed the item on consent and voted to recommend approval of the project (Attachment 11).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on September 23, 2015 and the opportunity to appeal that determination ended October 7, 2015 (Attachment 7).

Fiscal Impact Statement: All costs associated with processing of this project are recovered from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The project site is located at 2404 Loring Street (Attachment 1), on the northeast corner of Pendleton Street and Loring Street (Attachment 2). The site is located in the RS-1-4 zone (Attachment 3) within the Pacific Beach Community Plan (Attachment 4), and the Coastal Height Limitation Overlay Zone. The zoning designation is for single family residential and the community plan designates the site for Residential, Very Low-Density.

The site is currently developed with a retirement complex called the "Wesley Palms Retirement Community" and contains an existing Wireless Communication Facility (WCF). The retirement complex contains various one-story duplexes and triplexes, and a five-story apartment building. Sprint PCS and Nextel Communications merged in 2004 and the company is now operating under the name Sprint PCS. On May 15, 2000, Sprint was approved for six (6) panel antennas on the façade of the five-story apartment building behind individual Fiberglass Reinforced Panel (FRP) boxes with associated equipment located at the northwest corner of the building pursuant to Permit No. 99-0271-33, which expired on May 15, 2010. At the time of this permit, the WCF regulations allowed for the approval of this type of facility as a Process 1 Administrative Review.

DISCUSSION

Project Description:

Sprint is requesting a new permit to continue operating at this location in addition to requesting a modification to improve the existing coverage for fourth generation (4G) technology. The improvements would result in faster data speed in addition to increasing the call capacity for existing Sprint users. This modification includes six replacement antennas and the installation of six Remote Radio Head units concealed behind new FRP screens (Attachment 8) on an existing five-story apartment building, and new ground mounted equipment cabinets next to the existing two ground mounted equipment cabinets within the 280-square foot enclosure on site (Attachment 9).

This modification requires a Conditional Use Permit (CUP) and a Neighborhood Development Permit (NDP). Sprint's original permit expired on May 15, 2010, and under the current Regulation, and pursuant to SDMC Section 141.0420(f)(2), a CUP is required for all WCFs on premises within a Residential Zone. Additionally, pursuant to SDMC Section 141.0420(g)(3), a Neighborhood Development Permit is required for the continued use of the existing equipment enclosure above 250 square feet.

Wireless Communication Facility Regulations – The site is located within the RS-1-4 zone. The project as designed, complies with SDMC Section 141.0420(g)(8) which states: "Panel *antennas* may be mounted up to 18 inches away from a *building façade* when the *applicant* provides evidence demonstrating that the *wireless communication facility* cannot operate without incorporating a tilt greater than 12 inches. Each panel *antenna* shall fit into the design of an existing *façade* and shall be no longer nor wider than the portion of the *façade* upon which it is mounted. The *antennas* shall not interrupt the architectural lines of the *façade*. Associated mounting brackets and coaxial cable shall be concealed from view. Any pipes or similar apparatus used to attach panel *antennas* to a *building façade* shall not extend beyond the length or width of the panel *antenna*. No exposed mounting apparatus shall remain on a *building façade* without the associated *antennas*."

Sprint is proposing an FRP screen designed to wrap around all three sides of the upper most portion of the existing stairwell. This cohesive design would accommodate up to six antennas and six Remote Radio Head units and conceal them from view. A small vent opening will be included on the bottom of the FRP screen to ventilate the Remote Radio Head units. The FRP screen will be painted and textured to match the existing apartment building appearance and will extend a maximum of 18-inches off the face of the building. The equipment cabinet associated with this project shall be placed inside the existing 280-square foot enclosure. The 280-square foot enclosure is also painted to match the existing building and located on the corner of the stairwell, screened with existing landscaping.

General Plan:

The General Plan, Section UD-A.15, states that WCFs should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The design of the facility is to be aesthetically pleasing and respectful of the neighborhood context. The existing and proposed antennas will be located behind FRP screens on the façade of the existing residential apartment building, which shall be painted and textured to match the existing building. Therefore, the WCF is in conformance with the purpose and intent of the General Plan.

Community Plan Analysis:

The project location is designated for Residential, Very-Low density in the Pacific Beach Land Use Plan (Attachment 2). The Pacific Beach Community Plan does not contain specific policies on wireless communication facility development.

Council Policy 600-43:

These guidelines establish a hierarchy from the most preferred locations (Preference 1) to the least preferred locations (Preference 4) for WCFs. The project is proposed within a Preference Level 4 location according to Council Policy 600-43, which categorizes WCFs according to land uses in which they are located. Sprint's Justification analysis (Attachment 14) identified the area of intended coverage as primarily residential uses. Sprint's preference is to maintain its current antenna location due to the existing topography and the height of the existing five-story building. Additionally, the Justification Analysis prepared by Sprint deemed other lower preference level sites unfeasible due to the largely residential nature of this area. Staff has reviewed the Justification Analysis and concluded that there is no other lower Preference Level site that is capable of providing the same coverage footprint while meeting the WCF regulation design requirements. As illustrated in the coverage map, this site is providing Sprint users a large coverage footprint within the Pacific Beach community planning area. In an effort to preserve the existing coverage, and provide enhanced fourth generation (4G) technology Sprint is proposing to remain at the current location with the intent to reduce the visual impacts of the Wireless Communication Facility.

Conclusion:

The project meets all applicable regulations and policy document, and staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the Communication Antenna Regulations, the SDMC, and the General Plan. Staff recommends that the Planning Commission approve Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823.

ALTERNATIVES:

- 1. Approve Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823, with modifications.
- 2. Deny Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823, if the Planning Commission makes written 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

Simon Tse

Development Project Manager Development Services Department

Attachments:

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





Aerial Photo

<u>Sprint Wesley Palms</u> 2404 Loring Street, San Diego, CA 92109



ATTACHMENT 1







Project Location Map

<u>Sprint Wesley Palms</u> 2404 Loring Street, San Diego, CA 92109 North

ATTACHMENT 3

PROJECT DATA SHEET						
PROJECT NAME:	Spr	Sprint Wesley Palms				
PROJECT DESCRIPTION:	antennas and six remote radio head reinforced panel screen, painted ar appearance. The equipment associ	Modification to an existing wireless communication facility that includes six panel antennas and six remote radio head units concealed inside a new fiberglass reinforced panel screen, painted and textured to match the existing building appearance. The equipment associated with this project will continue to operate inside a 280-square foot enclosure with interior modification.				
COMMUNITY PLAN AREA:		Pacific Beach				
DISCRETIONARY ACTIONS:	Conditional Use Permit a	nd Neighborhood Development Permit				
COMMUNITY PLAN LAND U DESIGNATION:	SE	Residential				
ZONING IN	FORMATION:					
Floor Area Ratio:N/ALot Coverage:N/AFront Setback:20-feetSide Setback:6-feet	quare feet (Loring Street) Pendleton Street and Randall Street)					
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE				
NORTH:	Very Low-Density (0-<5 D.U/Gross Acre)/RS-1-4	Single Family Residential				
SOUTH:	Very Low-Density (0-<5 D.U/Gross Acre)/RS-1-7	Single Family Residential and Mobile Home Park				
EAST:	Very Low-Density (0-<5 D.U/Gross Acre)/RS-1-4	Single Family Residential				
WEST:	Very Low-Density (0-<5 D.U/Gross Acre)/RS-1-4	Single Family Residential				
DEVIATIONS OR VARIANCES REQUESTED:		None				
COMMUNITY PLANNING GROUP RECOMMENDATION:	On August 26, 2015, the Pacific Beach Pl the project.	anning Group voted to recommend approval of				

PLANNING COMMISSION RESOLUTION NO. PC-XXXX CONDITIONAL USE PERMIT NO. 1563822 NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1563823 SPRINT WESLEY PALMS PROJECT NO. 417284

WHEREAS, **FRONT PORCH COMMUNITIES AND SERVICES**, Owner, and **SPRINT PCS**, Permittee, filed an application with the City of San Diego for a Conditional Use Permit and a Neighborhood Development Permit for a Wireless Communication Facility that consists of six (6) antennas and the installation of six Remote Radio Head units behind new Fiberglass Reinforced Panel (FRP) screen, painted and textured to match the existing apartment building appearance (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823);

WHEREAS, the project site is located at 2404 Loring Street on the northeast corner of Pendleton Street and Loring Street. The site is located in the RS-1-4 zone within the Pacific Beach Community Plan, and the Coastal Height Limitation Overlay zone;

WHEREAS, the project site is legally described as Lot 1 of Methodist Pacific Homes, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 4602, filed in the Office of the County Recorder of San Diego, August 3, 1960, excepting therefrom that portion thereof described as follows: Beginning at the Northeasterly corner of said Lot 1; thence along the Easterly line of said lot, South 14°57'30" East, 760.20 feet; thence North 57°40'00" West, 88.46 feet; thence North 14°57'30" West, 510.20 feet; thence North 37°34'40" West, 129.90 feet; thence South 88°43'30" West. 149.32 feet; thence North 85°28'10" West, 90.13 feet; to the northerly line of said Lot 1; thence North 75°05'30" East along said Northerly line, 340 feet to the point of beginning;

WHEREAS, on October 29, 2015, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on September 23, 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;

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 October 29, 2015.

FINDINGS:

Conditional Use Permit Approval – Section §126.0305

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

The project site is located at 2404 Loring Street in the RS-1-4 one within the Pacific Beach Community Plan. Wireless Communication Facilities (WCFs) are allowed within a Residential zone (RS-1-4) with a Conditional Use Permit pursuant to Land Development Code (LDC) Section 141.0420(f)(2). The project site is located within the Pacific Beach Community Plan, which designates the site for Residential, Very Low-Density. The Pacific Beach Community Plan does not contain specific policies on WCF development. In addition, the City of San Diego General Plan recommends that all WCFs minimize visual impacts by concealing wireless facilities in existing structures when possible. It also recommends that these facilities be aesthetically pleasing and respectful to the neighborhood context and to conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures. The existing and proposed antennas will be located behind Fiberglass Reinforced Panel (FRP) screens designed to wrap around all three sides of the upper most portion of the stairwell. The FRP will be painted and textured to match the existing five story retirement apartment complex building. The equipment associated with this project is located inside a 280-square foot enclosure. The enclosure, also painted and textured to match the existing five-story apartment building, is located on the ground level, adjacent to the stairwell, and screened with existing landscaping. The project involves the installation of two ground mounted equipment cabinets within the existing enclosure. Pursuant to LDC Section 141.0420(g)(3), a Neighborhood Development Permit is required for an equipment enclosure that exceeds 250-square feet.

The project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the LDC, WCF Design Guidelines, and the General Plan. Therefore, the proposed development would not adversely affect the applicable land use plan.

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

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Existing Facilities) on September 23, 2015. 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 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) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." Sprint PCS submitted an Electro Magnetic Emission (EME) Analysis, which concluded that the project complies with FCC RF Standards. Therefore, the project will 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 allowable deviations pursuant to the Land Development Code; and

The project complies with all applicable development regulations of the LDC and the City of San Diego Communication Antenna Regulations (LDC 141.0420). This section of the code requires all wireless communication facilities to be minimally visible though the use of architecture, landscape, and siting solutions. The newly proposed antennas shall be concealed inside FRP screens, concealing the mounting apparatus and wires. Neither the FRP screens nor the existing panel antennas shall exceed a maximum of 18-inches from the face of the wall. The proposed 18inch separation is necessary for the FRP screen. In fact, the proposed antennas would be less than 18 inches from the face of the building but to appropriately conceal the antennas and RRHs from view, the FRP screen is required. The installation of the FRP screen to conceal the WCF is consistent with LDC Section 141.0420(g)(2), which requires the WCF to use all reasonable means to conceal or minimize the visual impacts. The WCF is located within the RS-1-4 zone and as such, requires a Conditional Use Permit pursuant to LDC Section 141.0420(f)(2). No deviations from the development regulations or variances are requested with this application. Additionally, a Neighborhood Development Permit is required pursuant to LDC Section 141.04230(g)(2). Therefore, the project is in full compliance with the applicable regulations of the LDC.

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

The City of San Diego's first preference is for Wireless Communication Facilities to be located on property containing non-residential uses. However, in this case, the Justification Analysis prepared by Sprint deemed other lower preference level sites unfeasible due to the largely residential nature of this area and the topographic limitation of coverage. Staff has reviewed the Justification Analysis and concluded that there is no other lower Preference Level site that is capable of providing the same coverage footprint while meeting the WCF regulation design requirements. As illustrated in the coverage map, this site is providing Sprint users a large coverage footprint within the Pacific Beach community planning area. In an effort to preserve the existing coverage, and provide enhanced fourth generation (4G) technology, Sprint is proposing to remain at the current location with the intent to reduce the visual impacts of the WCF.

The proposed 4G modifications would result in replacement antennas and the installation of Remote Radio Head (RRH) units. To comply with the WCF regulations, Sprint is proposing to completely conceal the antennas and the RRH units behind Fiberglass Reinforced Panel (FRP) screens, painted and textured to match the existing building. As illustrated in the photosimulation, this cohesive design would be consistent with the existing modular appearance and would appropriately conceal the WCF from all directions within the coastal area. Therefore, the proposed WCF is properly designed and appropriate for the proposed location.

Neighborhood Development Permit - Section 126.0404

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

The project site is located at 2404 Loring Street in the RS-1-4 one within the Pacific Beach Community Plan. Wireless Communication Facilities (WCFs) are allowed within a Residential zone (RS-1-4) with a Conditional Use Permit pursuant to Land Development Code (LDC) Section 141.0420(f)(2). The project site is located within the Pacific Beach Community Plan, which designates the site for Residential, Very Low-Density. The Pacific Beach Community Plan does not contain specific policies on WCF development. In addition, the City of San Diego General Plan recommends that all WCFs minimize visual impacts by concealing wireless facilities in existing structures when possible. It also recommends that these facilities be aesthetically pleasing and respectful to the neighborhood context and to conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures. The existing and proposed antennas will be located behind Fiberglass Reinforced Panel (FRP) screens designed to wrap around all three sides of the upper most portion of the stairwell. The FRP will be painted and textured to match the existing five story retirement apartment complex building. The equipment associated with this project is located inside a 280-square foot enclosure. The enclosure, also painted and textured to match the existing five-story apartment building is located on the ground level, adjacent to the stairwell, and screened with existing landscaping. The project involves the installation of two ground mounted equipment cabinets within the existing enclosure. Pursuant to LDC Section 141.0420(g)(3), a Neighborhood Development Permit is required for an equipment enclosure that exceeds 250-square feet.

The project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the LDC, WCF Design Guidelines, and the General Plan. Therefore, the proposed development would not adversely affect the applicable land use plan.

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

The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Existing Facilities) on September 23, 2015. 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 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) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." Sprint PCS submitted an Electro Magnetic Emission (EME) Analysis, which concluded that the project complies with FCC RF Standards. Therefore, the project will 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.

The project complies with all applicable development regulations of the LDC and the City of San Diego Communication Antenna Regulations (LDC 141.0420). This section of the code requires all wireless communication facilities to be minimally visible though the use of architecture, landscape, and siting solutions. The newly proposed antennas shall be concealed inside FRP screens, concealing the mounting apparatus and wires. Neither the FRP screens nor the existing panel antennas shall exceed a maximum of 18-inches from the face of the wall. The proposed 18inch separation is necessary for the FRP screen. In fact, the proposed antennas would be less than 18 inches from the face of the building but to appropriately conceal the antennas and RRHs from view, the FRP screen is required. The installation of the FRP screen to conceal the WCF is consistent with LDC Section 141.0420(g)(2), which requires the WCF to use all reasonable means to conceal or minimize the visual impacts. The WCF is located within the RS-1-4 zone and as such, requires a Conditional Use Permit pursuant to LDC Section 141.0420(f)(2). No deviations from the development regulations or variances are requested with this application. Additionally, a Neighborhood Development Permit is required pursuant to LDC Section 141.04230(g)(2). Therefore, the project is in full compliance with the applicable regulations of the LDC.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 1563822 and Neighborhood Development Permit No. 1563823, a copy of which is attached hereto and made a part hereof.

Simon Tse Development Project Manager Development Services

Adopted on: October 29, 2015

SAP Number: 24005740

Modified HMD 1-26-15

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

WHEN RECORDED MAIL TO

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005740

CONDITIONAL USE PERMIT NO. 1563822 NEIGHBORHOOD DEVELOPMENT PERMIT NO. 1563823 SPRINT WESLEY PALMS PROJECT NO. 417284 PLANNING COMMISSION

This Conditional Use Permit No. 1563822 and Neighborhood Development Permit 1563823 is granted by the Planning Commission of the City of San Diego to **FRONT PORCH COMMUNITIES AND SERVICES**, Owner, and **SPRINT PCS Assets LLC**, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0305, 126.0404, 131.0401, and 141.0420. The site is located in the RS-1-4 zone within the Pacific Beach Community Plan, and the Coastal Height Limitation Overlay zone. The project site is legally described as Lot 1 of Methodist Pacific Homes, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 4602, filed in the Office of the County Recorder of San Diego, August 3, 1960, excepting therefrom that portion thereof described as follows: Beginning at the Northeasterly corner of said Lot 1; thence along the Easterly line of said lot, South 14°57'30" East, 760.20 feet; thence North 37°34'40" West, 129.90 feet; thence South 88°43'30" West. 149.32 feet; thence North 85°28'10" West, 90.13 feet; to the northerly line of said Lot 1; thence North 75°05'30" East along said Northerly line, 340 feet to the point of beginning.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to modify an existing Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 29, 2015, on file in the Development Services Department.

The project shall include:

A permit for a Wireless Communication Facility (WCF) consisting of a total of six (6) antennas and six (6) Remote Radio Head (RRH) units behind new Fiberglass Reinforced Panel (FRP) screens, painted and textured to match the existing building,

new 9929 multi-technology BTS growth cabinet and an auxiliary cabinet extension on an existing BTS cabinet within the existing 280-square foot equipment enclosure.

- b. Three (3) existing antennas and the associated FRP screen boxes shall be removed.
- c. 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 **November 13, 2018**.

2. This Permit and corresponding use of this site shall expire on **November 13, 2025.** Upon expiration of this approval, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.

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

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

5. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

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

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

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

9. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

10. The Owner/Permittee shall secure all necessary 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. 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. 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 G of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

15. The Owner/Permittee shall have antennas located on the WCF up to the sizes shown on the stamped approved plans. Antennas deviating from the approved size (length, width, or height) must utilize screening design techniques to create the appearance of uniformity among the antennas to the satisfaction of the Development Services Department, through a Substantial Conformance Review or a qualify application for any proposed modifications. The Permittee shall comply with Federal standards for radio frequency radiation in accordance with the Telecommunication Act of 1996 and subsequent amendments and any other requirements imposed by state or federal regulatory agencies, which are regulated by the Federal Government.

16. All conduits associated with this project shall be concealed inside the FRP screens to the satisfaction of the Development Services Department.

17. The FRP screen may extend a maximum of 18-inches from the face of the building.

18. The cable tray shall be painted and textured to match the existing building appearance to the satisfaction of the Development Services Department.

19. No overhead cabling is permitted.

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

21. Photosimulations shall be printed on the construction plans.

22. 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.

INFORMATION ONLY:

- A Telecom Inspection is required prior to construction permit completion.
- 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.
- 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 October 29, 2015 and Resolution Number PC-xxxx.

Conditional Use Permit No. 1563822 Neighborhood Development No. 1563823 October 29, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Simon Tse 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.

FRONT PORCH COMMUNITIES AND SERVICES

Owner

By

NAME TITLE

SPRINT PCS Assets LLC Permittee

By

NAME TITLE

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

NOTICE OF EXEMPTION

(Check one or both)

RECORDER/COUNTY CLERK X TO: P.O. Box 1750, MS A-33

1600 PACIFIC HWY, ROOM 260 SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH 1400 TENTH STREET, ROOM 121 SACRAMENTO, CA 95814

PROJECT TITLE/ NO.: SPRINT WESLEY PALMS / 417284

PROJECT LOCATION-SPECIFIC: 2404 Loring Street, San Diego, CA 92109

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: This project includes the renewal of permit #99-0271-33 to allow the continued operation of all equipment associated with the Sprint Personal Communications Services (PCS) wireless telecommunications network. This project also includes removal of two (2) existing panel antennas and replacing them with six (6) proposed antennas and associated RRU's. The project also proposes the installation of one (1) 9929 multi technology BTS 'Growth Cabinet', one (1) auxiliary cabinet extension 'top hat' on existing BTS cabinet, and the removal and replacement of existing conduits with hybriflex conduits. The project site is located at 2404 Loring Street in the RS-1-4 zone in the Pacific Beach Community Planned area, Council District 2. The building proposed is part of a retirement community and is also surrounded by a retirement community.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Sprint PCS Assets LLC, 9191 Towne Center Drive #150, San Diego, California 92122, Mary Hamilton, (858)720-0166

EXEMPT STATUS: (CHECK ONE)

- () MINISTERIAL: (SEC. 21080 (b) (1); 15268)
- () DECLARED EMERGENCY: (SEC. 21080 (b) (3); 15269 (a))
- () EMERGENCY PROJECT: (SEC. 21080 (b) (4); 15269 (b) (c))
- (X) CATEGORICAL EXEMPTION: 15301 (Existing Facilities)
- () STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an environmental review which determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section 15301 which allows for the alteration of an existing facility which involves negligible expansion of the existing use. Furthermore, the exceptions listed in 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: Morgan Dresser IF FILED BY APPLICANT:

TELEPHONE: (619)446-5404

October 13,2015

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT? () YES () NO

ORIGINAL

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEOA!

SIGNATURE/TITLE

CHECK ONE: () SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

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Photosimulation of proposed telecommunications site



Photosimulation of proposed telecommunications site



Photosimulation of proposed telecommunications site

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SD35XC147 WESLEY PALMS 2404 Loring St. San Diego, CA 92109







ATTACHMENT 10 SD35XC147 WESLEY PALMS

2404 Loring St. San Diego, CA 92109







SD35XC147 WESLEY PALMS 2404 Loring St. San Diego, CA 92109





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ATTACHMENT 10 SD35XC147 WESLEY PALMS 2404 Loring St. San Diego, CA 92109















Pacific Beach Planning Group

www.pbplanning.org

Pacific Beach Taylor Library 4275 Cass Street, San Diego, CA 92109 Wednesday, August 26, 2015: 6:30-8:30 pm MINUTES

Item 1 - 6:35 **Call to Order, Quorum** Absent: Brian Curry, Deborah Conca, Eve Anderson, Karen Sumek

Item 2 Current Agenda - Modifications and Approval Consent Item: Sprint Wesley Palms PTS 417284 Only a formality. Approved by consent.

Item 3 July 22, 2015 Minutes - Modifications and Approval Approved 12-4. No: Wilding, Ferraco, Gordon.

Item 4 – 6:40 Chair's Report

Presenter: Henish Pulickal, Vice Chair

Presentation on driverless cars and need to consider new technology and innovation.

- Public transit: Please consider new technology and innovation before voting for and approving more train tracks. We've had trains for hundreds of years, and they've served their purpose. But to have plans to build new train tracks over the next 10, 20, 50 years is like planning to put typewriters in all schools. Driverless cars are the most exciting transportation tech coming out in the next few years.
- Car-sharing users have already reduced car ownership by nearly 50% across 20 metro areas in the US and Canada per UC Berkley study.
- These same car-sharing companies (Uber) and car companies (Tesla and all the major manufacturers) are investing billions in driverless technology. Currently, many higher end models being sold currently have the ability for driverless highway driving and parallel parking.
- We use our cars only 4% of the time. The rest of the time they are idle/parked.
- Both Google and Tesla predict that "true autonomous driving" will be available by 2020.
- Uber CEO has already stated that he plans to have a fleet of self-driving cars in the near future.
- Price Waterhouse Coopers and the NHTSA predicts that the number of vehicles on the road will decrease by 99%, from 245m currently to 2.4 million.
- With reduced traffic and vehicles, does installing railroad tracks make sense? Would it be a better use of funds to update infrastructure to accommodate driverless cars? Wouldn't this be many times cheaper?
- Toyota has driverless busses in operation since 2001 at a Japanese Theme Park
- London has been testing a 10 passenger driverless shuttle since February.
- Minneapolis has already installed lane assist systems to help with snowplows currently and driverless buses in the near future.
- 4 states already allow public testing of driverless cars: CA, MI, FL, and NV
- Action item: Read and keep up to date on current public transportation options, especially driverless cars and Elon Musk's Hyperloop. Press the issue with our government officials andSANDAG.

 Worth thinking about: What will reduced car ownership and reduced traffic do to our current traffic and parking concerns? What will happen to parking lots, car dealerships, auto factories and other space dedicated to servicing the 245m vehicles on the road now. You might never have to go to the DMV again. So please think twice about railroad propositions for our city, state and country.

We need to think of modern solutions. NHTSA predicts 245 million cars will drop to 2.4 million cars.

Item 5 – 6:50 Non-Agenda Public Comments (Note: 2 minutes maximum per speaker)

Issues not on Agenda and within the jurisdiction of Pacific Beach Planning Group.

<u>Scott Chipman</u>: Continuing concerns over pot shops and the public process. A current pot shop at 1737 Garnet Avenue (in the alley) is making \$15,000 to \$20,000 a week and using very large ads to promote their non-approved business.

<u>Baylor Triplett</u>: Mark your trash cans! Recycle bins are being stolen. It now costs \$70 for a replacement. Mark your cans with spray paint.

<u>Chris Olson</u>: Self-driving cars will improve safety. An App can be used to get a car from a driverless pod, driverless taxis, etc. will reduce traffic 30% in the future, and will reduce the need for more roadways and parking.

<u>Shaun Wample</u>: LJCPA Ad Hoc Committee on Residential Single Family Zoning: in favor of thoughtful, proactive development. There is a citizen petition on <u>change.org</u> regarding changing neighborhoods. Developers gutting buildings is a major problem. "Mansion-ization," bulk, and scale is out of character with the neighborhood. The developer is doing 10 projects in North PB, also.

Sara Berns: Heart of PB Walk on 9/9 and PB Fest on 10/3.

<u>Jim Morrison</u>: In favor of a rail line that would be used between La Jolla and PB. A street car would be more romantic than a trolley. Also, very disappointed with the new shopping center.

Item 6 – 6:54 City Sewer Replacement Projects (Information Item)

Presenters: Clint Carney &/or Paula Roberts (Humanability for City of San Diego) Clint Carney and Dan Tittle: 9 areas in the community are going to have sewer line updating. Concern about wasting water during this severe drought. When new water lines are installed, the pipes must be flushed for 3 days (federal guidelines). It looks bad, so in order to not send the wrong message, the water is being dumped into the sewer system. However, it must be treated. Yost Street is a really small project. Should take 2-3 weeks. Irrigation water is labeled non-potable, but you can drink it.

Item 7 – 7:02 Spectrum Act / Cell Phone Towers (Information Item)

Presenter: David N. Haney, research scientist

There is a major, and growing, problem with cell phone towers. Types of pollution: visual, noise, and microwave. Crown Castle, Inc. is installing these towers all over PB. Based on the current FCC Order and the Spectrum Amendment from Development Services, these devices can be installed pretty much wherever the wireless industry wants. If a permit application from a wireless company identifies the effort as Spectrum on City Form DS-420, then it is automatically approved with NO REVIEW and NO NOTIFICATION. San Diego seems to not be concerned. The city has allowed new cell towers in the "public right of way" and has sold spots in public parks. Suggestion: do not allow towers in residential neighborhoods or near schools. According to a FCC order, anything in the public domain can be a spot for cell towers. These emit 3,000 micro watts per square meter. The federal government has blocked cities from using health concerns as a reason to stop installation of these cell towers. There are 10 cell phone towers between Nautilus and La Jolla Blvd.

Scott: let's kick this to a subcommittee and make it an action item for our next meeting.

Item 8 – 7:24 Government Offices Report

Presenter: Liezl Mangonon (Not in attendance.)

Item 9 – 7:25 **Development Subcommittee (Action Items)** Presenter: Chris Olson

1. <u>1314 PB Drive</u>. Project Name Raybon Duplex , #396445, Description – CDP (process 2) to demolish two residences and construct a 4,172 sq ft duplex on a 2,870 lot zoned RM-2-5. *Subcommittee recommends motion to approve.*

*Postponed vote & discussion because architect not in attendance.

2. <u>1270 Emerald St.</u> Project Name –Emerald Street Residence # 420989, Description – Process 2 CDP to demolish existing residence and construct a 3,263 sq ft residence with 357 sq ft detached garage on a 6,250 sq ft site zoned RS-1-7. *Subcommittee recommends motion to approve.*

*Scored very high on the PBPG Checklist. Main entrance off the street, 3 bedrooms & an office, bonus room, stone siding/stucco/cedar. Chris motioned to approve, Jim seconded. Yes - 12; No - 2. Mike vetoed for not enough parking.

3. <u>1641-1643 Hornblend</u>. Hornblend Townhomes, 425967 Description – CDP and tentative map to demolish 2 existing residences and construct a 7,146 sq ft 4 unit residential condominium building on a 6243 sq ft lot zoned RM-2-5. *Subcommittee recommends motion to deny the project as presented*.

*All 4 entrances are on the side; Chris asked the City for more guidance. There are only places for 2 trash bins. Agreement to expand to 4. Will meet drainage requirements. Driveway too narrow? Overall meets regulations (need 28 feet turning radius).

Scott: there seem to be a lot of "open site issues." City requirements should be <u>cleared</u> first. Paula: projects are designed to "the letter of the law." Projects should embrace eco district's goals/standards.

Jim: with den + office + bedrooms - should equal more PARKING.

Chris: it's a problem to have the entries on the side, not the front. Never see neighbors. (For a condo, 3 bedrooms requires 2.5 parking spaces.)

Motion to approve - Jim 1st, Scott 2nd. 7 yes, 7 no, Vice Chair breaks the tie with a yes. No - Amy, Baylor, Chris, Harry, Joe, Pat, Paula.

4. <u>1116, 1118, 1122 Oliver</u>. d. Project Name Oliver Ave Residence #347782 –, Description –CDP Build 3 – 2331 sq ft homes on 2 legal lots zoned RM 1-1. *Subcommittee recommends motion to approve.*

*Wants to build on the 3 original lots, (width: 25 feet each). (If the project isn't approved for the 3 lots, then PBPG doesn't approve.) Garage - 2 walls and 75% open. IF enclosed, will exceed the limits of the code. Parking quantity should not be a problem. All 3 units are different colors. The Middle house is different. The doors face the street. The trash/recycle areas are enclosed for each house.

Chris: not in favor of them all looking the same.

Paula: roofs slope to the west.

Jim: likes the open garages.

Motion to approve the project WITH the city's OK of 3 lots. Amy 1st, Jim 2nd. 7-5 No - Amy, Baylor, Chris, Joe, Michael.

Item 10 – 8:20 Other Subcommittees and Reports

Traffic & Parking: informational meeting re deco bikes.

Mike Beltran: get rid of Deco Bikes on the boardwalk! The city is asking for alternative locations. BID is offering 3 alternative locations.

1. at the end of Reed

- 2. at the end of Diamond & Ocean
- 3. at the end of Grand in front of the Shore Club.

Scott: there is a petition with 3,000 names who are against the Deco Bike placement on the boardwalk. This was never approved by the coastal commission.

Joe: motion to extend the meeting by 15 minutes. Yes - 10, no - 1, abstain 1.

Joe: Deco bike stands will become an eyesore as the metal deteriorates.

Sara: The above alternative locations were based on meetings at Beautiful PB.

Tony: People ARE using these bikes on the boardwalk. (FYI - Freedom Bikes sells bikes.)

Mike: is mad because there have been NUMEROUS meetings talking to Deco Bikes, who went against the community's wishes. Deco Bikes is not the right company.

ATTACHMENT 11

<u>Code Compliance</u>: Thanks to Lisa Johnson; PROW all of the information. We should do this again.

8:35 North PB Lifeguard Station: Scott Chipman - voted to accept.

8:39 Mission Gateway: Scott Chipman - Think <u>globally</u> on the \$400,000 grant. The Mission Bay Park Committee is weak & ineffective. An outside consultant has been selected. Special Events: Debbie Conca Communications Subcommittee: Baylor Triplett

Item 11 – 8:46 Adjournment

Next Meeting: Wednesday, September 23, 2015, 6:30-8:30 pm (General Meeting)

The Carves Bain blace (b116) 440-0000 upproval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit Neighborhood Development Permit Site Development Permit Manendment + Other Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Pian Amendment + Other Voject Title Project No. For City US Sprint SD35XC147- Kate Sessions Project Address: 2404 Loring Street, San Diego, CA 92109 art (1 = To be completed when property is held by Individual(s) Interview Map (1 + 0 + 0 + 0 + 0 + 0 + 0 + 0 + 0 + 0 +	
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Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities. DS-318 (5-05)

roject Title: Sprint Site SD35XC147 Kate Sessions	Project No. (For City Use Only)
Part II - To be completed when property is held by a corporat	ion or partnership
Legal Status (please check):	
Corporation Limited Liability -or- General) What Stat	e? Corporate Identification No
the property Please list below the names, titles and addresses o	subject property with the intent to record an encumbrance against of all persons who have an interest in the property, recorded or no will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project oject property. Failure to provide accurate and current ownership
Corporate/Partnership Name (type or print): Front Porch Communities and Services	Corporate/Partnership Name (type or print): Front Porch Communities and Services
Owner Tenant/Lessee	X Owner Tenant/Lessee
Street Address: 800 N. Brand Blvd., 19th Floor City/State/Zip:	Street Address: 800 N. Brand Blvd., 19th Floor City/State/Zip:
Glendale, CA 91203	Glendale, CA 91203
Phone No: Fax No: (818) 254-4140 (818) 254-4141	Phone No: Fax No: (818) 254-4138 (818) 254-4139
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Roberta Jacobsen Title (type or print):	Joseph F. Butler Title (type or print):
President	General Counsel and Assistant Secretary
Signature : Date: Date: March 26, 2015	Signature: Date: March 26, 2015
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
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ATTACHMENT 12

ATTACHMENT 13

Sprint Wesley Palms PROJECT CHRONOLOGY PTS #417284 IO #24005740

Date	Action	Description	City Review	Applicant Response
03.30.2015	First Submittal	Project Deemed Complete		
04.30.2015	First Assessment Letter		31 days	
06.24.2015	Second Submittal			55 days
08.11.2015	Second Assessment Letter		96 days	
09.16.2015	Third Submittal			48 days
09.23.2015	Notice of Right to Appeal (NORA) posted		7 days	
10.29.2015	Planning Commission Hearing		36 days	
Total Staff Time:		Does not include City Holidays and Furlough	170 days	
Total Applicant Time:		Does not include City Holidays and Furlough	7	103 days
Total Project Running Time:		From Deemed Complete to HO Hearing	273 days	



June 22, 2015

SD35XC147- Sprint Wesley Palms Site Justification Report CUP Process 4

This permit renewal and modification for Sprint "Wesley Palms" site is necessary for the Sprint Wireless Network to provide coverage mandated by the federal government as a condition of its operating license. There is a significate gap in coverage in many neighborhoods around the project area as demonstrated by the attached RF Coverage Maps. The Sprint site development team evaluated the search ring and identified the one area that was the most viable location in terms if zone-ability and aesthtics that would also achieve desired coverage and capacity needs. Our site is located at 2404 Loring Street, San Diego in the RS-1-4 Zone.

The Sprint development team recognized from the outset that the coverage objective was essentially and continues to be residential. Per the zoning map attached and submitted with this report, the site is within the Pacific Beach Community Plan and the Coastal Height Limitation Overlay Zone. The RS-1-4 Zone and the surrounding residential zones consist of single family residences. Due to the volume of traffic, distance, and capacity needs the surrounding area nearby Sprint sites cannot provide enough coverage to the Pacific Beach community.

The proposed location was identified and selected due to the height of the ground elevation and the ability to screen the Wireless Communication Facilities ("WCF") into the existing five story apartment building. The other residential properties would not accommodate our facility based on the lower ground elevation and no existing struture that will incorporate our antennas in a screened environment.

The proposed development is continuous in operation and will not adversely affect the land use plan; The Pacific Beach Community Plan does not contain specific policies on "WCF" development. In addition, the wireless facilities in existing structures when possible. The existing and proposed antennas total of 6 panel antennas will be located behind fibergass resistant panel (FRP) screening on the façade of the five story apartment building (more specifically located on the concrete elevator shaft) which antennas/fiberglass screening shall be painted/textured to match the existing exterior of the building.

The RF Coverage Maps attached to this justification report depict the existing coverage gaps and show the significant coverage gain in a legend described as; excellent, good, fair and poor coverage that would be achieved with the proposed modifications. However, it is important to note that coverage is only half of the object Sprint also strives to boost the capacity of evey cell site to satisify the customers around it. What we are seeing increasingly is that more customers are relying almost entirely on their smart mobile devices to provide all phone needs, as well as internet, email, apps, etc. All of this individual phone use makes it vital that each and every WCF in Sprint's network be built and upgraded to meet our customer's usage and needs. Even if a site provides sufficient coverage, the more people are utilizing their devices, the more the network slows down. We are trying to establish and maintain the 4G technology moving smoothly and quickly.

This project follows the perference of objectives of the Conditional Use Permit pursuant to Land Development Code (LDC) Section 141.0420(f)(2), by having identified a site within the project area that allows the gap in coverage to be addressed, locating on a site utilizing the least visually obtrusive design and remain aesthetically pleasing.

Other sites in area were assessed and deemed unfeasible due to the largely residential nature of this area and the topographic limitations of coverage. There is also a gradual incline in ground elevation at our proposed location that certainly lends itself to a larger coverage footprint area. For these reasons the Wesley Palms Retirement Community site is and was the most viable option for coverage objectives and zoning.

The proposed project is a request for permit renewal along with site modifications to include; the installation of six (6) new panel antennas; six (6) new Remote Radio Head Units to be mounted below the antennas on two façades of the existing concrete elevator shaft all within a newly designed and proposed FRP screening to conceal the antennas, RRHs and all cables existing the antennas. Furthermore, the 23'-7" x 11'-11" equipment enclosure area is compleity screened from public view by concrete block construction materials typical within the retirement compound. This design will not defer from or interferer with the peacefulness of the surrounding retirement community.

The project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the WCF Regulations, the Communication Antenna Regulations, the LDC, and the General Plan. Therefore, the proposed development would not adversely affect the applicable land use plan.

The proposed dvelopment will not be determential to the public health, safety, and welfare of the community; the Telecommunications Act of 1996 preempts local governments for regulating the placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency Emissions to the extent that such facilities comply with the FCC standards. To insure that the FCC standards are being met. Sprint has submitted their theoricatal EME report and will provide at the time a Post EME report indicating the actual levels of radio frequency emissions as tested at the site after construction has been completed.

The proposed proposed development will comply to the maximium extent feasible with the regulations of the Land Developmet Code and the City of San Diego Communication Antenna Regulations (LDC Section 141.0420) by the proposed design which is minimally visible through the use of architecture, landscape architecture and sitting solutions. The newly proposed

antennas shall be concealed inside an FRP screening surrounding the perimeter of the elevator shaft and installing the proper ventaliion system to allow for proper airflow to reach the Remote Radio Heads and allow their functionality. The FRP screening will futher conceal all conduit/cables to and from the antennas by shifting the cable chase from the middle of the wall to the corner, utilizing a bottom fed antenna will remove the need for any bend over the top of the elevator shaft and eliminate any unsightly cables. Allowing for a cleaner appearance around the top of the concrete elevator shaft. The proposed RFP screening shall not exceed the City's requirement for 18-inches from the face of the wall. The associated equipment as mentioned above, will be located and remain behind a concrete block enclosure, not visable from the public prespective and consistent with other "trash" enclosure compounds found within the Wesley Palm complex. The project is located om the property within the RS-1-4 Zone and as such, requires a Conditional Use Permit in order to operate our wireless facilities. No deviations from the development regulations or variances are being requested with this application. Therefore, the project is in full compliance with the applicable regulations of the LDC.

The proposed use is appropriate at the proposed location; Typically the City would like to see WCF located within non-residential uses; however, in this particular location, there are no other properties within our specific search ring that were identified and viable and more importantly were <u>not residential uses</u>. Our project meets all applicable regulations and policy documents, and is consistent with the recommended land use desgin guidelines and development standards in effect. Sprint is not seeking any additional variances or deviations with this application. Therefore, the proposed use is appropriate for this site.

Conclusion:

The proposed Sprint installation provides a material benefit to the community with the providing of enhanced communications services for personal, business, and emergency purposes. Our industry is seeing more changes relative to communications, with communications devices working from wireless network platforms to households removing their older landlines in place of current technology. Thus, our service options (data and voice) are vital aspects for the public health, safety and welfare of the community. This should be considered and basic to your findings for a renewed use permit.

SD35XC147 Wesley Palms

Sprint

Project # 417284

Item #4

Sprint Search Ring & City of San Diego Zoning Map









