

**DATE ISSUED:** October 5, 2006

**REPORT NO. PC-06-262  
PC-06-263**

**ATTENTION:** **Planning Commission, Agenda of October 12, 2006**

**SUBJECT:** VERIZON – SOLEDAD/CARDENO - PROJECT NO. 39165  
CINGULAR – ALTA LA LOLLA - PROJECT NO. 82328  
NEIGHBORHOOD USE PERMIT PROCESS TWO

**OWNER:** La Jolla Alta Master Council

**APPLICANTS:** PlanCom, for Verizon Wireless  
Strategic Real Estate Services, Inc., for Cingular Wireless

### **SUMMARY**

**Issue(s):** Should the Planning Commission approve or deny an appeal of the City Manager's decision to approve Permits to install and operate a wireless communication facility on a clubhouse in the La Jolla Community Plan?

#### **Staff Recommendation:**

1. **Certify** Negative Declaration Project Nos. 39165 and 82328;
2. **Deny** the appeal; and
3. **Approve** Neighborhood Use Permit Nos. 368020 and 258238.

**Community Planning Group Recommendation:** The La Jolla Community Planning Association considered the projects on February 2, 2006 and based on land use and planning, made a motion to approve the installation of the antennas. The motion included taking no position on the health concerns related to the antennas. The motion passed 6-1-3 (Attachment 9).

**Environmental Review:** Negative Declaration Nos. 39165 and 82328 have been prepared for the project in accordance with the California Environmental Quality Act (CEQA).

**Fiscal Impact:** None. The applicants bear all costs of processing this appeal.

**Code Enforcement Impact:** None.

**Housing Impact Statement:** None.

## **BACKGROUND**

On August 11, 2006, the City Manager approved Neighborhood Use Permit (NUP) Nos. 368020 and 258238 authorizing Cingular and Verizon Wireless to install and operate a wireless communication facility consisting of a total of 17 panel antennas and two GPS antennas mounted behind a new roof top cupola feature. The project site is located on the La Jolla Alta Clubhouse at 1570 Alta La Jolla (Attachments 1-3). The site is zoned RS-1-4 (single-unit residential) and is designated very low density residential in the La Jolla Community Plan. The project site is surrounded by single-family, multi-family and duplex residential development (Attachments 1-2).

Pursuant to the City's Communication Antenna regulations, a wireless communication facility located on a residentially zoned property containing a non-residential use complying with all development regulations, may be permitted with an NUP, Process Two decision level.

On August 28, 2006 an appeal was filed by Sherri Lightner, no grounds for the appeal were provided on the appeal application (Attachment 16).

## **DISCUSSION**

### **PROJECT DESCRIPTION:**

The projects consist of the construction of a new 7' – 2" high, 400 square foot cupola to be located on the roof of the existing clubhouse, approximately 95-feet from the nearest residential unit (Attachment 2). The cupola will be constructed of Radio Frequency transparent screening texture to simulate stucco and will be trimmed with brick and wood to match the existing clubhouse design scheme (Attachment 6 and 13). Within the proposed cupola, Verizon proposes eight (8) panel antennas and Cingular nine (9). In addition, each carrier will attach one GPS antenna to the proposed cupola. At 30-feet in height, the cupola complies with the Coastal Height Limitation Overlay Zone.

The goal of the Communication Antenna regulations is to ensure architectural integration of wireless facilities. The project design complements the architectural style of the clubhouse and completely conceals the antennas and complies with all development regulations.

The associated equipment for both carriers will be located within an existing storage room at the lower level of the clubhouse. Two outdoor condenser units will be located on the southwest side at the lower level within the existing shrubs (Attachment 5).

### Community Plan Analysis:

The subject property is located in an area identified as Very Low Density Residential (0-5 du/ac) in the La Jolla Community Plan (LJCP) (Attachment 2). The Residential Element of the LJCP states that, the City should analyze for visual impact and ensure public review and comment for any telecommunications structures proposed to be located in residential areas. Regarding the proposed placement of cellular facilities in these areas, the citywide telecommunications policy should be adhered to.

The LJCP recommends analyzing cellular facilities for visual impacts. The proposed cellular facilities are located outside of any identified public vantage point and would not impact public views. The cellular antennas are proposed to be located inside a rooftop parapet that will screen the antennas from view. The proposed rooftop parapet is designed to resemble the architectural style of the existing building and is well integrated into the structure. The associated cellular equipment will be located in the existing building's storage room and will not be visible from the outside.

To ensure public review and comment, the proposed projects were reviewed by the La Jolla Community Planning Association. It was introduced to and reviewed by a subcommittee of the planning group and heard by the city-wide recognized elected board in February 2006. The planning group voted to recommend the proposals. The proposed project has generated numerous emails and letters as well as two petitions in support and in opposition (Attachment 14 and 15).

The LJCP recommends adhering to the citywide telecommunications policy for the proposed placement of cellular facilities in residential areas. The requirements and recommendations outlined in the City's Communication Antenna regulations were addressed during the review of the proposed projects and are discussed in further detail under the project related issues section of this report.

### Environmental Analysis:

The City of San Diego conducted an Initial Study, which determined that the project would not have a significant environmental impact. The environmental analysis identified health and safety, land use, visual quality, and noise as potential environmental issues.

Health and safety from radio frequency (RF) energy is regulated by the federal government and is therefore addressed in the document for public disclosure purposes. Land use was identified as a potential impact because wireless communication facilities are not permitted by right in residential zones. The project complies with all of the development regulations of the underlying zone as well as the Communication Antenna regulations. The proposed cupola is not considered a significant visual impact as it was designed to integrate with the existing clubhouse architectural features e.g. matching siding, trim and color (Attachment 6).

Cingular provided a noise study for the two outdoor condenser units located at the south west side of the clubhouse at the lower level. The conclusion of the report indicated that the facility

would comply with the noise ordinance at all four property lines; therefore no additional noise mitigation would be required.

## **PROJECT RELATED ISSUES**

### **Project Objective/Alternative Sites**

Cingular and Verizon determined that a wireless communication facility at this location is necessary to provide coverage along Cardeno Drive from roughly the intersection with Caminito Balada to the south and the intersection with Via Nina to the north. It is also intended to provide coverage to the residential community to the east and west of Cardeno Drive.

Council Policy 600-43 outlines locational categories for wireless facilities that establishes a hierarchy from most preferred location to least preferred location. This site is considered a Preference 2 category, which coincides with projects requiring a Neighborhood Use Permit. Preference 1 category land uses must be considered before a higher preference land use will be approved. Additionally, it must be demonstrated that a preference 1 site could not be utilized, either for technical, topographical or landlord reasons.

As indicated on the search ring maps provided by both Verizon and Cingular, there were only Preference 2 and 3 locations within the search ring. The project site is the only property within the search ring that was not used for residential purposes. Therefore, given the locational hierarchy, the project site was the preferred site within the search ring.

In order to address concerns from the community, Cingular and Verizon considered the following alternative sites that were not technically within their search rings:

1. Kate Sessions Park
2. Commercial buildings near the intersection of Turquoise St. and Cass St.

Kate Sessions Park was rejected because it would not meet the coverage objective due to topographical constraints. The commercial development along Turquoise Street and Cass Street was also outside of the search ring area and near existing Cingular and Verizon sites. The coverage objective for the project could not be met from this area due to the elevational and topographical constraints. As indicated above, other than the Alta La Jolla Clubhouse, all properties within the search ring consist of residential uses in residential zones (Attachment 4). The Alta La Jolla Clubhouse provided the only non residential use property within the coverage objective.

### **Conclusion:**

Staff affirms that the project meets the purpose and intent of the Neighborhood Use Permit, the development regulations of the underlying zone, the Coastal Height Limitation Overlay Zone and the Communication Antenna regulations. The La Jolla Community Plan recommends that telecommunication facilities be analyzed for visual impact and that the public have input. The proposed antennas will be concealed from public view through the use of the integrated cupola

design on the rooftop. The design of the project is visually compatible with the architecture of the clubhouse. Public input was provided through the La Jolla Community Planning Association as well as various members of the public who contributed their thoughts and opinions throughout the permit application process. Pursuant to the City's Communication Antenna regulations, a communication facility on a non-residential use within a residential zone is subject to approval of a Neighborhood Use Permit. Development Services believes the project will not have a detrimental effect on the neighborhood and the findings to support the project can be made. It is therefore staff's recommendation to deny the appeal and approve Neighborhood Use Permit Nos. 368020 and 258238

### **ALTERNATIVES**

1. **Approve** the appeal and deny the proposed wireless communication facility or;
2. **Deny** the appeal and approve the NUPs with modified conditions.

**Respectfully submitted,**

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**Mike Westlake**  
**Program Manager**  
**Development Services Department**

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**Natalie de Freitas**  
**Project Manager**  
**Development Services Department**

WESTLAKE/NDF

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Search Ring
5. Project Site Plan
6. Photo Simulations
7. Draft Permits with Conditions
8. Draft Resolutions with Findings
9. Community Planning Group Minutes
10. Ownership Disclosure Statement
11. Project Data Sheet
12. Project Chronology
13. Project Plans
14. Petitions, Emails and Letters in Support (Copy provided to the Planning Commissioners only)
15. Petitions, Emails and Letters in Opposition (Copy provided to the Planning Commissioners only)
16. Copy of Appeals

