

THE CITY OF SAN DIEGO

### **Report to the Planning Commission**

DATE ISSUED:	January 26, 2017	REPORT NO. PC-17-004
HEARING DATE:	February 2, 2017	
SUBJECT:	VERIZON WIRELESS NORTH PARK. Process Fo	ur Decision.
PROJECT NUMBER:	<u>459937</u>	
OWNER/APPLICANT:	Troncone Family Trust/Verizon Wireless (VAW	/), LLC
SUMMARY:		

<u>Issue</u>: Should the Planning Commission approve a Wireless Communication Facility (WCF) located at 3505 Georgia Street within the North Park Community Planning area?

<u>Staff Recommendation</u>: Approve Conditional Use Permit (CUP) No. 1608917 and Site Development Permit (SDP) No. 1851478.

<u>Community Planning Group Recommendation:</u> On September 20, 2016, the North Park Planning Committee voted 11-0-0 to recommend approval of the Verizon North Park project (Attachment 11).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301 (Existing Facilities) and is not pending an appeal of the Environmental Determination. The environmental exemption determination for this project was made on December 8, 2016, and the opportunity to appeal that determination ended December 22, 2016 (Attachment 7).

<u>Fiscal Impact Statement</u>: Verizon is the Financially Responsible Party and is responsible for costs associated with the processing of this permit application.

<u>Code Enforcement Impact</u>: A complaint was filed for operating without a permit and Code Enforcement staff is currently monitoring the permit application progress.

Housing Impact Statement: Not applicable.

#### BACKGROUND

Verizon Wireless North Park is an application for a Conditional Use Permit (CUP) and Site Development

Permit (SDP) for a Wireless Communication Facility (WCF). The project is located at 3505 Georgia Street in the Mid-City Communities Planned District (MCCPD) MR-1000 zone. The zoning changed to RM-3-7 when the North Park Community Plan Update went into effect January 3, 2017, however, the Verizon North Park project was deemed complete in April 2016 and Verizon has opted to continue processing the project under the MCCPD MR-1000 zone designation. Verizon currently has a roof top enclosure concealing nine panel antennas on top of a four unit residential building (Attachment 13). The associated equipment is located in a fenced enclosure at the back of the building (Attachment 14). The site is surrounded by multi and single-unit residential uses (Attachment 1). Pursuant to Land Development Code (LDC) Section 141.0420(f)(2), WCFs are permitted in residential zones with a CUP, Process Four, WCFs are permitted in residential zones with a CUP, Process Four. The North Park Community Plan map identifies the site as Residential-Medium High (30-44 dwelling units/acre) (Attachment 2).

#### DISCUSSION

The original permit, 99-0960-12, was approved under previous WCF regulations as a ministerial action and permitted nine antennas (three per sector) in a roof top fiberglass screen enclosure and an equipment enclosure on the southeast side of the building. A Site Development Permit is required pursuant to <u>LDC Section 1512.0203(b)(3)</u>, as the equipment enclosure is located within one foot of the required six foot side yard setback.

The location of the equipment enclosure, at the rear of the building, is adjacent to an unimproved street (Myrtle Avenue) that is a steep, heavily vegetated slope (Attachment 14). Views from the south are blocked by the heavy vegetation. Views from Georgia Street are obscured since the enclosure is approximately 15 feet below the street level and at the back of the building. Residential units below the Verizon site may have negligible views of the enclosure, but it would have the appearance of a typical yard fence and not pose any visual impacts.

The Verizon North Park project is located on a property with a residential use within a residential zone. The submitted site justification map shows the search ring encompassing an entirely residential area. WCFs in residential zones always require a CUP. The site justification map includes a one mile radius around the subject site. Within that radius, there are non-residential sites; however, they are located to the north of the project site, where Verizon currently has a WCF (Attachment 9). Roosevelt Middle School is located to the west of the site within the one mile radius, but Verizon has indicated that that site cannot achieve the network coverage provided by the North Park site. The Lions Optometric Vision Clinic is located in Balboa Park to the south of the subject site, within the one-mile radius. Verizon has indicated that this site would result in a loss of existing coverage because of large eucalyptus trees and varying topography. Verizon has indicated that additional sites would be needed to regain the lost coverage if the WCF were relocated to this property. It is preferable to have fewer sites in residential areas to maintain existing coverage.

<u>Wireless Regulations (LDC 141.0420)</u> – The site is located within the MCCPD MR-1000 zone and as designed, complies with the WCF regulations. The antennas are concealed within a roof top enclosure designed to complement the apartment building. The equipment is located on the south side of the building at the rear in a fenced enclosure and is not visible from Georgia Street. Verizon is proposing to

upgrade the antennas and associated components, but there will be no outward change in appearance of the WCF. Verizon is proposing to maintain the facility and upgrade the antennas and associated components.

<u>Community Plan Analysis</u> – During the processing of the Verizon North Park project, the Mid-City Communities Planned District was amended to remove North Park from the regulations and rezone parcels within the plan area with modified and citywide zones to implement the land use designations. On October 25, 2016, the North Park Community Plan Update was adopted and the associated zoning ordinances became effective on January 3, 2017. The previous North Park Community Plan update in 1986 did not contemplate WCF. However, the recent North Park Community Plan Update addresses the importance of expanding WCFs in the community in a way that is sensitive to the community character with an emphasis on reducing any associated visual impacts through appropriate integration.

<u>General Plan</u> – The <u>General Plan</u>, <u>Section UD-A.15</u> states that WCFs should be concealed within existing structures when possible or otherwise use camouflage and screening techniques to hide or blend the facilities in to the surrounding area. The design of the facility is to be aesthetically pleasing and respectful of the neighborhood context. The two-story, four unit apartment building is on a property that slopes down from Georgia Street with parking underneath at the rear of the building. Verizon's roof top screened enclosure is designed in scale with the building and painted and trimmed to match the building. From the street, the roof top enclosure is set back toward the rear of the building and painted and trimmed to match the building, views are respectful of the building's character. The equipment enclosure is on the south side of the building, approximately 15 feet below Georgia Street and at the rear of the building. Views of the fenced enclosure would be from residential units below the apartment building and would appear as a fenced yard, typical of residential neighborhoods. The Verizon North Park project, as designed, is appropriately integrated with the apartment building (Attachment 13).

<u>Council Policy 600-43</u> – These guidelines establish a hierarchy from the most preferred locations (Preference 1) to the least preferred locations (Preference 4) for WCF. The project is proposed within a Preference 4 location according to Council Policy 600-43. Verizon's Site Justification Map (Attachment 9) shows a search ring around an exclusively residential area. The closest non-residential property is the Lions Optometric Vision Clinic located at 1805 Upas Street (Preference 1), which is outside of the search ring, but one-tenth of a mile to the southeast. Verizon reviewed this property for consideration but due to varying topography and because the site is surrounded by mature eucalyptus trees, their engineers determined that there would be a loss of existing coverage if the site was to be relocated.

Verizon also considered Roosevelt Middle School at 3366 Park Boulevard (Preference 3), which is also outside of the search ring, but approximately two-tenths of a mile to the southwest and determined that it would not achieve the network coverage currently provided by the existing site on Georgia Street. In cases where existing coverage is lost, additional sites are needed to regain that coverage. Due to the predominantly residential uses in the search ring, it is preferable to have fewer sites to maintain the existing coverage. Other than the sites mentioned, there are no other preference 1-3 sites in the search ring that can maintain the existing network coverage that is achieved from the existing site.

#### Conclusion:

With the exception of the side yard setback deviation, the project has been determined by staff to be consistent with the purpose and intent of the applicable development regulations of the San Diego Municipal Code, which includes the development regulations for the MCCPD MR-1000 zone and the Wireless Communication Facilities regulations Section 141.0420. Staff recommends approval of CUP No. 1608917 and SDP No. 1851478.

#### **ALTERNATIVES**

- 1. Approve CUP No. 1608917 and SDP No. 1851478, with modifications.
- 2. Deny CUP No. 1608917 and SDP No. 1851478, 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,

Elyse W. Lowe Deputy Director Development Services Department

Karen Lynch

Development Project Manager Development Services Department

VACCHI/KAL

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. Ownership Disclosure Statement
- 9. Site Justification and Map
- 10. Coverage Maps
- 11. Community Planning Group Recommendation
- 12. Photo Survey
- 13. Project Plans
- 14. Project Plans



# **Aerial Photo**



ATTACHMENT 1

<u>Verizon North Park (North Park Community)</u> 3505 Georgia Street

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# **Community Plan**



North

<u>Verizon North Park (North Park Community)</u> 3505 Georgia Street

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# **Project Location Map**



ATTACHMENT 3

#### <u>Verizon North Park (North Park Community)</u> 3505 Georgia Street

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	PROJECT DATA S	SHEET					
PROJECT NAME:	Verizon North Park						
PROJECT DESCRIPTION:	A Wireless Communication Facility consisting of 9 panel antennas and 6 Remote Radio Units concealed within a roof top enclosure with associated equipment located within a 201-square-foot enclosure.						
COMMUNITY PLAN AREA:	North Park						
DISCRETIONARY ACTIONS:	Conditional Use Permit/Site Development Permit						
COMMUNITY PLAN LAND USE DESIGNATION:	Residential Medium-High (30-44 dwelling units/acre)						
	ZONING INFORMATI	ON:					
HEIGHT LIMIT: LOT SIZE: FLOOR AREA RATIO: FRONT SETBACK: SIDE SETBACK: STREETSIDE SETBACK: REAR SETBACK: PARKING:	.75 10' 6' N/A 1' with alley, 15' with no alley N/A	ft.)					
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE					
NORTH:	Residential Medium-High; MCCPD MR-1000	Multi-Unit Residential					
SOUTH:         Residential Medium-High; MCCPD MR-1000         Single-Unit Residential							
EAST:	Residential Medium-High; MCCPD MR-1000	Single-Unit Residential					
WEST:	Residential Medium-High; MCCPD MR-1000 Single-Unit Residential						
DEVIATION REQUESTED:	The equipment enclosure encro- yard setback.	aches 5 feet into the required 6-foot side					
COMMUNITY PLANNING GROUP RECOMMENDATION:	On September 20, 2016, the North Park Planning Committee voted 11-0-0 to recommend approval of the Verizon North Park project with no conditions.						

#### PLANNING COMMISSION RESOLUTION NO. CONDITIONAL USE PERMIT NO. 1608917 SITE DEVELOPMENT PERMIT NO. 1851478 VERIZON NORTH PARK PROJECT NO. 459937

WHEREAS, TRONCONE FAMILY TRUST, Owner and VERIZON WIRELESS (VAW), LLC/Permittee, filed an application with the City of San Diego for a permit for a Wireless Communication Facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1608917 and 1851478), on portions of a .11-acre site;

WHEREAS, the project site is located at 3505 Georgia Street in the MCCPD-MR-1000 zone of the North Park Community Plan area;

WHEREAS, the project site is legally described as:

The west 55 feet of the south 14 feet of Lot 25; the west 55 feet of Lots 26 and 27, in Block 254 of University Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by G.A. D'Hemecourt, in Book 8, Page 36, et seq. of Lis Pendens in the Office of the County Recorder of aid San Diego County.

Also, all that portion of the east 10 feet of Georgia Street, lying west of and adjoining said property, as vacated and closed to public use on July 11, 1910, by Ordinance No. 4186 of the Common Council of the City of San Diego.

Also, all that portion of the north 10 feet of Myrtle Avenue lying south of the adjoining said portion of said Lot 27 and lying south of and adjoining said east 10 feet of Georgia Street, as vacated and closed to public use, August 1, 1917 be Resolution No. 22879 of the Common Council of the City of San Diego;

WHEREAS, on February 2, 2017, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 1608917 and Site Development Permit No. 1851478 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 8, 2016, 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;

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 February 2, 2017.

#### FINDINGS:

#### Conditional Use Permit Findings §126.0305

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

The North Park Community Plan addresses the importance of expanding Wireless Communication Facilities (WCFs) in the community in a way that is sensitive to the community character with an emphasis on reducing any associated visual impacts through appropriate integration. Similarly, the City of San Diego's General Plan (UD-A.15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

This project consists of nine panel antennas, six remote radio units and two raycaps concealed behind a seven-foot-tall screened rooftop enclosure, with associated equipment located on the south side of the building in a fenced enclosure. The original project was approved ministerially in 2000, prior to the adoption of WCF regulations, and expired ten years later. Verizon applied for a new permit a couple of years after the expiration, but the project was closed due to inactivity and the site was referred to Code Enforcement for compliance. Verizon submitted this project in 2015 and Code Enforcement is monitoring the progression through the discretionary process. This project proposes to maintain the facility and upgrade it to meet current technological standards. No modifications are proposed to the outward appearance of the WCF. The rooftop enclosure is set back from Georgia Street and is designed to match the Italianate-style building. The enclosure does not impact views of the building from the street; because it is set back and low in scale, it appears as an original part of the building.

The 201-square-foot fenced equipment enclosure is located within the side yard setback on the south side of the property toward the rear of the building. The equipment enclosure is not visible to the street because the lot drops off approximately 15 feet from Georgia Street toward the rear of the building where the equipment enclosure is located.

With the exception of the side yard setback deviation, the proposed WCF complies with the City's Land Development Code (LDC), Section 141.0420, "Wireless Communication Facilities', as well as the requirements of the North Park Community Plan and the City's General Plan. The proposed WCF does not adversely affect the applicable land use plan or the City's General Plan.

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

The project is located on a multi-unit residential building at 3505 Georgia Street, in the North Park Community Plan area. It consists of nine panel antennas and associated components concealed behind a rooftop screened enclosure. Equipment is located within a 201-square-foot fenced enclosure on the south side of the property toward the rear of the building. 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.

The Telecommunications 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 Radio Frequency Site Compliance Report was prepared by SiteSafe, which concluded that the project is in compliance with FCC standards for RF emissions. Therefore, the project would not result in any significant health or safety risks to the surrounding area related to matters within the City's jurisdiction. Therefore, 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

Land Development Code (LDC) Section 141,0420 permits WCFs on residentially-zoned sites with a Conditional Use Permit (CUP). The project is existing; it was approved in 2000, prior to the adoption of the Wireless Communication Facility (WCF) regulations. Verizon is proposing to upgrade and continue operations at this site. The project consists of a rooftop screened enclosure designed to match the residential building, which will conceal nine panel antennas, six remote radio units and two ray caps. Associated equipment is located in an 8-foot-tall fenced enclosure on the south side of the property at the rear of the building. The Mid-City Communities Planned District (MCCPD) MR-1000 zone requires a six-foot side yard setback, however the enclosure is built within one-foot of the side yard setback. Pursuant to LDC 1512.0203, projects that deviate from the MCCPD development regulations require a Site Development Permit (SDP). After the application deemed complete date (April 4, 2016) and during the processing of the Verizon North Park project, the MCCPD was amended to remove North Park from the regulations and rezone parcels within the plan area with modified and citywide zones to implement the land use designations. Although the effective date of the rezone is January 3, 2017, Verizon opted to remain under the MCCPD zone, MR-1000 and comply with the LDC as of the April 4, 2016 deemed complete application date.

The majority of the project site is encumbered by a residential building, with a driveway in the rear for access to the garages. The only available areas to locate the equipment are on either of the two sides of the building or on the roof. Verizon has located their equipment on the south side of the building, adjacent to the unimproved Myrtle Avenue Right-of-Way (ROW), which consists of Environmentally Sensitive Lands in the form of steep slopes. The property slopes down from Georgia Street approximately 15 feet. The side yard setback deviation is more desirable than strict conformance with the regulations because views of the equipment enclosure are non-existent from the public ROW and views from adjacent properties below are negligible. The equipment would not fit in the current location if the required six-foot side yard setback was observed, and most likely would have to be relocated to the building rooftop. A rooftop location would increase views of the WCF and would have the potential to disturb occupants of the building.

The WCF Regulations require that facilities be made minimally visible through the use of architecture, landscape, and siting solutions. Verizon's rooftop screen is located in the center of the roof and set back from Georgia Street. It is in scale with the building and designed to match the building's architecture. The equipment is located at the back of the building on the side which is downslope from the public ROW and screened by mature landscape.

The project has been designed to comply with the regulations of the LDC. With the exception of the requested side yard setback deviation, it will comply with the development regulations of the MCCPD.

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

This Wireless Communication Facility (WCF) is located in a Preference Four location as outlined in Council Policy 600-43. This policy sets forth locational categories that correspond to the process levels contained within Land Development Code (LDC) Section 141.0420, the WCF Regulations. These guidelines establish a hierarchy from the most preferred location (Preference 1) to the least preferred location (Preference 4). Applications for sites in Preference 2, 3 or 4 locations should include additional information from the applicant substantiating why a lower preference location was not used.

The Verizon North Park project is located on a property with residential use within a residential zone. The submitted site justification map shows the search ring encompassing an entirely residential area. WCFs in residential zones always require a CUP. The site justification map includes a one mile radius around the subject site. Within that radius, there are non-residential sites; however, they are located to the north of the project site, where Verizon currently has a WCF. Roosevelt Middle School is located to the west of the site within the one mile radius, but Verizon has indicated that that site cannot achieve the network coverage provided by the North Park site. The Lions Optometric Vision Clinic is located in Balboa Park to the south of the subject site, within the one-mile radius. Verizon has indicated that this site would result in a loss of existing coverage because of large eucalyptus trees and varying topography. Verizon has indicated that additional sites would be needed to regain the lost coverage if the WCF were relocated to this property. It is preferable to have fewer sites in residential areas to maintain existing coverage.

The WCF Regulations require these facilities to be integrated through the use of architecture, landscape and siting solutions. This is an existing WCF at a residential use surrounded by residential uses. In this situation, maintaining the site on the residential building rooftop is more preferable than pursuing a new location on another residential property within the search ring. The existing site has operated on this building since 2000 without any complaints. The antennas are concealed in an appropriately-scaled rooftop enclosure designed to match the residential building, and the equipment is located within a fenced enclosure at the back of the building, screened by existing mature landscaping.

The proposed use is appropriate at this location because it is designed appropriately and integrates well into the residential building and the context of the neighborhood.

#### Site Development Permit Findings § 126.0504

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

The North Park Community Plan addresses the importance of expanding Wireless Communication Facility (WCF) in the community in a way that is sensitive to the community character with an emphasis on reducing any associated visual impacts through appropriate integration. Similarly, the City of San Diego's General Plan (UD-A.15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

This project consists of nine panel antennas, six remote radio units and two raycaps concealed behind a seven-foot-tall screened rooftop enclosure, with associated equipment located on the south side of the building in a fenced enclosure. The original project was approved ministerially in 2000, prior to the adoption of WCF regulations, and expired ten years later. Verizon applied for a new permit a couple of years after the expiration, but the project was closed due to inactivity and the site was referred to Code Enforcement for compliance. Verizon submitted this project in 2015 and Code Enforcement is monitoring the progression through the discretionary process. This project proposes to maintain the facility and upgrade it to meet current technological standards. No modifications are proposed to the outward appearance of the WCF. The rooftop enclosure is set back from Georgia Street and is designed to match the Italianate-style building. The enclosure does not impact views of the building from the street; because it is set back and low in scale, it appears as an original part of the building.

The 201-square-foot fenced equipment enclosure is located within the side yard setback on the south side of the property toward the rear of the building. The equipment enclosure is not visible to the street because the lot drops off approximately 15 feet from Georgia Street toward the rear of the building where the equipment enclosure is located.

With the exception of the side yard setback deviation, the proposed WCF complies with the City's Land Development Code (LDC), Section 141.0420, "Wireless Communication Facilities', as well as the requirements of the North Park Community Plan and the City's General Plan. The proposed WCF does not adversely affect the applicable land use plan or the City's General Plan.

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

The project is located on a multi-unit residential building at 3505 Georgia Street, in the North Park Community Plan area. It consists of nine panel antennas and associated components concealed behind a rooftop screened enclosure. Equipment is located within a 201-square-foot fenced enclosure on the south side of the property toward the rear of the building.

The project was determined to be exempt from the 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.

The Telecommunications 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 RF emission to the extent that such facilities comply with the FCC standards for such emissions." A RF Site Compliance Report was prepared by SiteSafe, which concluded that the project is in compliance with FCC standards for RF emissions. Therefore, the project would not result in any significant health or safety risks to the surrounding area related to matters within the City's jurisdiction. Therefore, 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.

Land Development Code (LDC) Section 141.0420 permits WCFs on residentially-zoned sites with a Conditional Use Permit (CUP). The project is existing; it was approved in 2000, prior to the adoption of the Wireless Communication Facility (WCF) regulations. Verizon is proposing to upgrade and continue operations at this site. The project consists of a rooftop screened enclosure designed to match the residential building, which will conceal nine panel antennas, six remote radio units and two ray caps. Associated equipment is located in an 8-foot-tall fenced enclosure on the south side of the property at the rear of the building. The Mid-City Communities Planned District (MCCPD) MR-1000 zone requires a six-foot side yard setback, however the enclosure is built within one-foot of the side yard setback. Pursuant to LDC 1512.0203, projects that deviate from the MCCPD development regulations require a Site Development Permit (SDP). After the application deemed complete date (April 4, 2016) and during the processing of the Verizon North Park project, the MCCPD was amended to remove North Park from the regulations and rezone parcels within the plan area with modified and citywide zones to implement the land use designations. Although the effective date of the rezone is January 3, 2017, Verizon opted to remain under the MCCPD zone, MR-1000 and comply with the LDC as of the April 4, 2016 deemed complete application date.

The majority of the project site is encumbered by a residential building, with a driveway in the rear for access to the garages. The only available areas to locate the equipment are on either of the two sides of the building or on the roof. Verizon has located their equipment on the south side of the building, adjacent to the unimproved Myrtle Avenue Right-of-Way (ROW), which consists of Environmentally Sensitive Lands in the form of steep slopes. The property slopes down from Georgia Street approximately 15 feet. The side yard setback deviation is more desirable than strict conformance with the regulations because views of the equipment enclosure are non-existent from the public ROW and views from adjacent properties below are negligible. The equipment would not fit in the current location if the required six-foot side yard setback was observed, and most likely would have to be relocated to the building rooftop. A rooftop location would increase views of the WCF and would have the potential to disturb occupants of the building.

The WCF Regulations require that facilities be made minimally visible through the use of architecture, landscape, and siting solutions. Verizon's rooftop screen is located in the center of the

roof and set back from Georgia Street. It is in scale with the building and designed to match the building's architecture. The equipment is located at the back of the building on the side which is downslope from the public ROW and screened by mature landscape.

The project has been designed to comply with the regulations of the LDC. With the exception of the requested side yard setback deviation, it will comply with the development regulations of the MCCPD.

#### Mid-City Communities Development Permit §1512.0204

1. Conformance with Community Plan and Design Manuals. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 1512.0101), and the following documents, as applicable to the site: the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan, the Uptown Community Plan, the Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate studies in Landscape Architecture; June, 1983), Design Manual for the Normal Heights Demonstration Area and the City Heights Demonstration Area (HCH Associates and Gary Coad; April, 1984), The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick), The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (The Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.), Sears Site Development Program (Gerald Gast and Williams-Kuebelbeck and Assoc.; 1987) and will not adversely affect the Greater North Park Community Plan, the Uptown Community Plan or the General Plan of the City of San Diego;

The purpose of the Mid-City Communities Planned District (MCCPD) is to assist in implementing the goals and objectives of the adopted community plans for older, developed communities and to assist with implementation of the City's General Plan. The North Park Community Plan (adopted October 25, 2016) addresses the importance of expanding Wireless Communication Facility (WCF) in the community in a way that is sensitive to the community character with an emphasis on reducing any associated visual impacts through appropriate integration.

The project was submitted and processed under the MCCPD, which was recently amended to remove the community of North Park. If submitted today, the project would be zoned RM-3-7 under the citywide zoning regulations, which would require a Planned Development Permit (PDP) for the building height (47 feet, 8 inches) where 40 feet is permitted (MR-1000 allows 50 feet when the building is above parking) and for the existing setback encroachment. Additionally, the recently adopted North Park Community Plan refers to the City's General Plan, which requires citywide urban design policies to be applied in conjunction with the urban design policies in the community plan. The General Plan Urban Design Element (UD-A.15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

This project implements the recommendations of the General Plan by screening the antennas within a rooftop enclosure that is designed to match the building. From Georgia Street, the 201-square-foot screened enclosure is balanced and in scale with the rest of the two story building. The

associated equipment is located at the rear of the building within a fenced enclosure. It is not visible from the street and is negligibly visible to other properties. Based on the design and location of this WCF, it will not adversely affect the applicable land use plans.

# 2. Compatibility with surrounding development. The proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community will be achieved as far as practicable;

The proposed Wireless Communication Facility (WCF) consists of six panel antennas within a rooftop screened enclosure and the associated equipment within a 201-square-foot fenced enclosure at the rear of the residential building. The rooftop enclosure is scaled appropriately and designed to match the residential building. The neighborhood is a mixture of single- and multi-unit residential dwellings, most of which are single story, but many are multi-story and because of the topography, many of the units are split-level, following the hillside. The overall building height is 40 feet, 10-inches and with the addition of the rooftop enclosure, it is 47 feet, 8-inches. The Mid-City Communities Planned District (MCCPD) MR-1000 zone height limit is 50 feet when the building is above enclosed parking, which this one is. The design proposes an architectural solution to effectively integrate the WCF with the surrounding neighborhood in a compatible manner.

# 3. No Detriment to Health, Safety and Welfare. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity;

The Telecommunications 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 Communications Commission (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition in the permit requires the Permittee to ensure at all times during the life of the permit that the Wireless Communication Facility (WCF) comply with FCC standards for RF emissions. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the City.

4. Adequate Public Facilities. For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 1512.0203(b)(1)(A) or (B), the proposed development provides a minimum of 750 square feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located within any area of the site used for vehicle parking, or ingress and egress, and shall be configured to have a minimum of 10 feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities;

This project consists of a Wireless Communication Facility (WCF) on a residential use but does not involve the development of a residential use. Therefore, as this finding applies to residential and mixed residential/commercial projects, this finding is not applicable to this project.

# 5. Adequate Lighting. In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site; and

There is currently a streetlight across the street from the Wireless Communication Facility (WCF). Therefore, this finding does not apply.

# 6. The proposed use will comply with the relevant regulations in the San Diego Municipal Code.

Land Development Code (LDC) Section 141.0420 permits Wireless Communication Facilities (WCF) on sites zoned for residential with a Conditional Use Permit (CUP). The project is existing, previously approved in 2000, prior to the adoption of the WCF regulations. Verizon is proposing to upgrade and continue operations at this site. The project consists of a rooftop screened enclosure, designed to match the residential building, which will conceal nine panel antennas, six remote radio units and two ray caps. The associated equipment is located in an 8-foot tall fenced enclosure on the south side of the property at the rear of the building. The Mid-City Communities Planned District (MCCPD) MR-1000 zone requires a six-foot side yard setback, however the enclosure is built to within one-foot of the side yard setback. Pursuant to LDC 1512.0203, projects that deviate from the MCCPD development regulations require a Site Development Permit (SDP). In this case, the majority of the lot is encumbered by the residential building with a drive way in the rear for access to the garages. The only available areas to locate the equipment is on either of the two sides of the building or on the rooftop. Verizon chose to locate their equipment on the south side of the building where the adjacent property is the unimproved Myrtle Avenue Right-of-Way (ROW), which consists of environmentally sensitive lands in the form of steep slopes. The property slopes down from Georgia Street approximately 15 feet. The deviation on the side yard is more desirable than strict conformance with the regulations because views of the equipment enclosure are non-existent from the public ROW and views from adjacent properties below are negligible. The equipment would not fit in the current location if the 6 foot required side yard setback was observed and most likely would have to be relocated to the building rooftop. A rooftop location would increase views of the WCF and would have the potential to disturb occupants of the building.

The WCF regulations require that facilities be minimally visible through the use of architecture, landscape, and siting solutions. The Verizon rooftop screen is located in the center of the building rooftop and set back from Georgia Street. It is in scale with the building and designed to match the building's architecture. The equipment is located at the back of the building on the side which is downslope from the public ROW and screened by mature landscape.

With the exception of the location of the equipment enclosure within the required side yard setback, the project has been designed to comply with the regulations of the LDC.

## 7. All of the findings required for a Site Development Permit approval in accordance with Section 126.0504(a) of the Land Development Code;

See Site Development Permit (SDP) findings above beginning on page 5.

8. The proposed structure height is appropriate because the location of the site, existing neighborhood character, and project design including massing, upper-story stepbacks, building façade composition and modulation, material and fenestration patterns when considered together, would ensure the development's compatibility with the existing character of the Uptown Community Plan Area; and

This Wireless Communication Facility (WCF) is located in the North Park Community Planning area, therefore this finding is not applicable to this project.

## 9. The proposed development provides a benefit to the community, such as park land or facilities, public space, affordable housing, or sustainable development features.

This project will continue to provide wireless coverage and capacity for Verizon customers in the neighborhood and within the community as well as emergency communications for all wireless users.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, CUP No. 1608917 and SDP No. 1851478 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1608917/1851478, a copy of which is attached hereto and made a part hereof.

Karen Lynch Development Project Manager Development Services

Adopted on: February 2, 2017

IO#: 24006359

3-3-16

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



INTERNAL ORDER NUMBER: 24006359

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### CONDITIONAL USE PERMIT NO. 1608917 SITE DEVELOPMENT PERMIT NO. 1851478 VERIZON NORTH PARK PROJECT NO. 459937 PLANNING COMMISSION

This Conditional Use Permit No. 1608917 and Site Development Permit No. 1851478 is granted by the Planning Commission of the City of San Diego to Troncone Family Trust, Owner, and Verizon Wireless (VAW), LLC, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420 and 1512.0203. The .11-acre site is located at 3505 Georgia Street in the MCCPD MR-1000 zone of the North Park Community Plan area.

The project site is legally described as:

The west 55 feet of the south 14 feet of Lot 25; the west 55 feet of Lots 26 and 27, in Block 254 of University Heights, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by G.A. D'Hemecourt, in Book 8, Page 36, et seq. of Lis Pendens in the Office of the County Recorder of aid San Diego County.

Also, all that portion of the east 10 feet of Georgia Street, lying west of and adjoining said property, as vacated and closed to public use on July 11, 1910, by Ordinance No. 4186 of the Common Council of the City of San Diego.

Also, all that portion of the north 10 feet of Myrtle Avenue lying south of the adjoining said portion of said Lot 27 and lying south of and adjoining said east 10 feet of Georgia Street, as vacated and closed to public use, August 1, 1917 be Resolution No. 22879 of the Common Council of the City of San Diego.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 2, 2017, on file in the Development Services Department. The project shall include:

- a. A seven-foot-tall screen structure concealing nine panel antennas (three measuring 55" x 11" x 4" and six measuring 55" x 11.9" x 7.1"), six remote radio units, and two raycaps on the rooftop of the residential structure;
- b. Associated equipment in a 201-square-foot wood enclosure located on the south side of the building;
- c. A deviation to allow a one-foot side yard setback for the equipment enclosure where six feet is required by the SDMC 1512.0203;
- b. 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.

Every aspect of this project is considered an element of concealment including (but not limited to) the dimensions, build and scale, color, materials and texture. Any future modifications to this permit/project must not defeat concealment.

#### 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, it 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 February 16, 2020.

2. This permit and corresponding use of this site shall expire **February 16, 2027.** 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 determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, 13. and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

#### **ENGINEERING REQUIREMENTS:**

14. The project proposes no export of material from the project site. Any excavated material to be exported shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

15. Prior to the issuance of any construction permit, the Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

16. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the City's Storm Water Standards.

17. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

#### PLANNING/DESIGN REQUIREMENTS:

18. No overhead cabling is permitted.

19. Photo simulations shall be printed on the construction plans.

20. The Owner/Permittee shall install and maintain appropriate warning signage on the WCF as required by State and Federal regulations. The Owner/Permittee shall be responsible for complying with all State and Federal regulations.

21. Antennas and associated components, such as, but not limited to, remote radio units (RRUs), surge suppressors, etc., shall not exceed the height of any existing or proposed screen walls.

22. Use of or replacement of any building façade or mechanical screen with RF-transparent material for purposes of concealing antennas shall not result in any noticeable lines or edges in the transition to the original building. All RF-transparent material shall be painted and textured to match the original building and adjacent building surfaces.

23. The accuracy and validity of the RF Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation.

24. 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.

25. All facilities and related equipment shall be maintained in good working order and 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.

26. 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, in which case, the removal and the restoration of this site to its original condition is required.

#### **INFORMATION ONLY:**

- Please note that a Telecom Planning Inspection Issue will be placed on the project prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at (619) 446-5351 to schedule an inspection of the completed facility. Please schedule this administrative inspection at least five working days ahead of the requested Final Inspection date.
- The issuance of this 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 February 2, 2017 by Resolution No. \_\_\_\_\_\_.

CUP No. 1608917/SDP No. 1851478 February 2, 2017

#### AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Karen Lynch 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.

**Troncone Family Trust** Owner

By \_\_\_\_\_

NAME: TITLE:

**Verizon Wireless (VAW), LLC** Permittee

By \_\_\_\_\_

NAME: TITLE:

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

NOTICE OF EXEMPTION

FROM:

(Check one or both)

TO:

- <u>X</u> Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2400
  - Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814

Project Name: Verizon North Park

Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101

Project No.: 459937

City of San Diego

Project Location-Specific: The project is located at 3505 Georgia Street, San Diego, CA 92103.

Project Location-City/County: San Diego/San Diego

**Description** of **nature and purpose** of **the Project**: The project proposes a Conditional Use Permit (CUP) and Site Development Permit (SDP) to allow for the continued use of a Wireless Communication Facility (WCF) consisting of the removal and replacement of six antennas and maintenance of three existing antennas, and the installation of three Remote Radio Units (RRUs) on an existing residential structure. The WCF will also maintain the existing 188-square-foot equipment enclosure (painted to match the existing building) on the south side of the building. The project site is located within the North Park Community Plan area; it is designated for multifamily use and is zoned RM-2-7.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project:	Curtis Diehl
	Plancom
	302 State Place, #200
	Escondido, CA 92029
	(951) 833-5779

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: CEQA Section 15301 (Existing Facilities)

**Reasons** why project is exempt: The City conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private), involving negligible or no expansion of use beyond that existing at the time of the determination. The proposed project, a CUP and an SDP for an existing WCF, is not an expansion of use. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

Lead Agency Contact Person: Anna L. McPherson, AICP

Telephone: (619) 446-5276

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a notice of exemption been filed by the public agency approving the project? ( ) Yes ( ) No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

Merson /Senior Planner

Signature/Title

December 8, 2016

Date

Check One: (X) Signed By Lead Agency ( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:

San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statemen
Approval Type: Check appropriate box for type of approval (s) reque Neighborhood Development Permit Site Development Perm Variance Tentative Map Vesting Tentative Map Map V	ested. T Neighborhood Use Permit T Coastal Development Permit Int T Planned Development Permit T Conditional Use Permit Waiver T Land Use Plan Amendment • T Other
Project Title	Project No. For City Use Only
Verizon North Park	
Project Address:	
3505 Georgia Street	
art I - To be completed when property is held by Individu	al(s)
ho have an interest in the property, recorded or otherwise, and state dividuals who own the property! A <u>signature is required of at least</u> om the Assistant Executive Director of the San Diego Redevelopment evelopment Agreement (DDA) has been approved / executed by the anager of any changes in ownership during the time the application	ced property. The list must include the names and addresses of all persons the type of property interest (e.g., tenants who will benefit from the permit, all one of the property owners. Attach additional pages if needed. A signature in Agency shall be required for all project parcels for which a Disposition and he City Council. Note The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to
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Address Street Address Ch/St Signature Name of Individual (type or print): THONCONE FRAMELY THUST Nowner Tenent/Lessee Redevelopment Agency Address Street Address Street Address	Name of Individual (type or print):         Owner       Tenant/Lessee         Street Address         City/State/Zip         Phone No       Fax No         Signature       Date         Name of Individual (type or print):         Owner       Tenant/Lessee         Street Address

Printed on recycled paper. Visit our web site at www.sandiego.gov.dover.pment-serve.es Upon request, this information is available in alternative formats for persons with disabilities D's site (5.05).



#### SITE JUSTIFICATION Verizon "North Park" 3505 Georgia Street San Diego, CA 92103

#### PROJECT DESCRIPTION

This application seeks to re-permit and modify an existing Wireless Communications Facility (WCF) for Verizon Wireless located at 3505 Georgia Street on an apartment building. The existing WCF consists of nine (9) antennas and three (3) Remote Radio Units (RRUs) behind a rooftop screen. As part of this permitting effort, Verizon is proposing to replace six (6) existing antennas with six (6) new antennas, add three (3) RRUs and one (1) Raycap surge suppressor. All modifications will occur behind the existing rooftop screen. The associated equipment will remain in its current location with no proposed changes.

There are no proposed changes to the appearance of the WCF.

#### SITE DESIGN

Specifically the project calls for the installation of three (3) sectors of three (3) antennas with two (2) RRUs per antenna. Antennas and RRUs will be located inside the existing rooftop screen which was designed with the use of building materials and color palette that are complimentary to the existing structures on site. The associated equipment necessary to operate the facility is located at the side of the property behind the apartment building. Painting the existing fence around the equipment enclosure is the only change proposed to the equipment enclosure.

#### **PREFERENCE 4 LOCATION:**

The proposed facility is located on a residentially zoned property developed with an apartment building. The existing WCF has been on this building for more than 10 years without complaint. The project is a Preference 4 location as the property is developed with a residential use. The property is surrounded by residential development with the closest higher preference properties are Roosevelt Middle School (Preference 3) and commercial buildings (Preference 1) approximately 0.22 miles and 0.40 miles, respectively, from the current WCF's location. The commercial properties are located at the corner of University Avenue and Park Blvd. None of the properties provide an acceptable alternative because they cannot achieve the network coverage provided by the existing WCF at 3505 Georgia Street. Additionally, the commercial properties are located too close to another existing Verizon Wireless WCF located at 3844 Georgia Street and would result in signal interference with that site.

The Lions Optometric Building located at 1805 Upas Street, was reviewed for consideration based on staff's recommendation. The Lions Optometric Building is located south of the existing site and is surrounded by large eucalyptus trees. The trees alone would impact some of the coverage provided at this location, but also, because of the varying topography between the Lions Optometric Building, the existing site and the coverage area - which significantly drops down to the east and northeast from the site, there would be a loss of existing coverage if the site were relocated. In instances where existing coverage is lost, additional sites are needed to

regain that coverage. In this neighborhood, which is primarily residential, it seems preferable to have fewer sites to maintain the existing coverage. Therefore, there are no lower higher preference sites in the vicinity that can maintain the existing network coverage that is achieved from the existing site. The project requires a (Process 4) Conditional Use Permit.

We believe that the existing facility as designed is consistent with all relevant regulations and provides the best design option to achieve the necessary visual integration and to maintain existing network coverage.

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

No other WCFs exist on this property.

North Park 3505 Georgia St. San Diego, CA 92103

### verizon

#### Subject site with no coverage sion: Car\_C\_A 11 15 3 User: cherrer Tue Feb 23 06:40:26 2010 Default Square Datum: NAD83 Center Lat: 32-44-38.84 N Center Lon: 117-09-08.60 W Subject Site Care Care Sectors I major\_highway secondary\_highway arterial\_road C collector\_road bta shoreline CDMA Ec Multiple Carriers F1 Cr: RSSI (dBm) >= -75 >= -85 >= -95 Scale: 1:24000 verizonwireless GeoPlan v5.6.1 Proprietary and Confidential

**Coverage Levels:** 

Excellent

Poor

1/10/2017

Good/Variable



Subject site with existing coverage - no change proposed



#### NORTH PARK PLANNING COMMITTEE Draft Minutes: September 20, 2016 – 6:30 PM www.northparkplanning.org info@northparkplanning.org

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I. Call to order: 6:36 pm

Ι.	Atten	dance	<b>Report:</b>

Member	Robert Barry	Howard Blackson	Dionne Carlson	Steve Codraro	Daniel Gebreselassie	Robert Gettinger	Vicki Granowitz	Peter Hill	Brandon Hilpert	Sarah McAlear	Roger Morrison (resigned 9/20/16)	Dang Nguyen	Rick Pyles	Melissa Stayner	Rene Vidales
Attendance	1		2	3	4	5		6	7	8		9		10	11
Late															
Absences	2	2	2	1			1		1		2		2		1

#### III. Consent Agenda Items:

- a. 3505 Georgia St Site Development Permit (SDP) No-change permit renewal to replace equipment for an existing wireless communication facility consisting of a roof mounted box concealing 9 panel antennas and associated components. Associated equipment is located in an existing 188 sf enclosure on the south side of the building. MOTION: Approve the 1) SDP for side-yard setback deviation and 2) CUP for residential location for the equipment replacement project located at 3505 Georgia Street PTS 459937. Hilpert /UDPR 11/0/0 (On Consent)
- b. Montclair Park, 2903 Nile St. Proposed Verizon Wireless Communication Facility (WCF). Process 4: NUP, NDP, and PDP for WCF consisting of a 45-foot-tall monopine tree with 12 antennas, 2 raycaps, one 2' diameter microwave dish, and 12 remote radio units mounted in the tree, and associated equipment. MOTION: to approve project as presented including NUP, NDP, and PDP with the condition that the block wall enclosure reflects surrounding natural colors. Hilpert/UDPR 11/0/0 (On Consent)
- c. MOTION: Approve Consent Agenda. Hilpert/UDPR 11-0-0
- IV. Approval of Previous Minutes

#### a. MOTION: Approve August 16, 2016 minutes with modifications. Nguyen/Carlson 11-0-0

- V. Treasurer's Report Brandon Hilpert
  - a. Current balance \$758.88. Check issued for \$150 to reimburse for use of NP Fellowship for monthly meetings has cleared the account; need to get an invoice/receipt from them. Reimbursables available from City of San Diego for pens, paper, ink, please give receipts to Brandon.

#### VI. Non-Agenda Public Comment:

- a. Vernita Gutierrez, resident. SoNo Neighborhood Alliance holding inaugural forum on October 11, 6:30pm at Lafayette Hotel.
- b. John Hartley. Campaign finance reform. Craig Sherman (environmental and neighborhood attorney) workshop on how neighborhoods can watch for inappropriate/illegal growth. Saturday, October 1 at First Unitarian Church in Hillcrest.

- f. El Cajon BIA. Vicki Granowitz. Not present.
- XIII. Planner's Report, Lara Gates, 619.236.6006; lgates@sandiego.gov
  - a. HRB and upcoming deadlines only; other members of board covered.
- XIV. Action Item:

x

- a. Accept Roger Morrison's Resignation; Announce October 18, 2016 Board Election will vote to fill vacancy (per NPPC Bylaws). See resignation addendum.
  - 1. <u>MOTION</u>: Accept Roger Morrison's resignation and announce Board Election be held October 18, 2016 to fill vacancy (per NPPC Bylaws). Carlson/McAlear 11-0-0 (Barry, Pyles oppose)
- XV. Information / Discussion Items:
  - a. CicloSDias. October 30, 2016. Presented by Andy Hanshaw, SD County Bike Coalition. Fliers were handed out.
  - b. University Pipeline Project Update. Presented by Claudia Mejiha & Alejandra Zaragoza. Team is working on finalizing water main installation and connection on Robinson. Then will move to University between 5<sup>th</sup> and 9<sup>th</sup> Aves. Door hangers will be distributed to alert residents. Coordinated with Upas Pipeline project. Traffic studies was an ended with update and the balance of the studies was also be allocated with update.

services and justified by engineers report. It's very specific. That's established before it goes to ballot. Would have to be re-balloted or included in PBID.

- iv. AUDIENCE QUESTION/COMMENT:
  - 1. Judy Aboud. Is this area on University the same place where lightrail is indicated? Gates: Lightrail is only indicated on Park Blvd and El Cajon Blvd.
  - Brian Beevers, Simply Local. Will the little inlet in front of my business be taken away? Diagonal parking on University is slated to stay – as long as firetrucks and emergency vehicles can turn. They are running "auto-turn" scenarios right now to see. No trees can be planted on the median due to sewer line.
  - 3. Josh Jones. This is a lost opportunity to beautify. Landsberg: trying to get property owners within the commercial district (can include residential, like La Boheme) to understand and agree to what they would be paying for. Once we have 50% in agreement it can get balloted (this is a local ballot, outside of a standard city/state election. Go see median between Florida and Mississippi if you want to see example of "pavered" median.
  - 4. Ed Cronan. The 10-left turn lanes proposed will increase traffic on those 10 residential streets, and decrease traffic on the others that aren't set up for it (some already have speed bumps, humps, lumps). The pavered look is awful, without vegetation or at least the irrigation, it's not worth doing.
  - 5. Rob Steppke. Unaware (after being around project for many years) that trees wouldn't be included. Water service necessity issue seems irrelevant if we aren't using trees and we would obviously be using drought-tolerant plants. City: there's a risk of installing improvements that would never be maintained or needed and to install two lines for each trench for over a mile stretch costs a lot of money.
  - Steve Blasingham. If we can't come up with the money, why are you doing the project? City: This is not a beautification project; the landscaping is a sidepiece. This is to reduce vehicle accidents.
  - 7. Christopher Dye. We can't even find a way to have a median with cactus that doesn't need water instead of pavers? City: Cactus still requires some maintenance.
- v. BOARD QUESTION/COMMENT:
  - Nguyen: Does City plan to do cost analysis of pavers versus with irrigation lines? City assumed that MAD would be set up and was waiting; just submitted a letter that if NPMS will enter into agreement for maintenance the City will include it in Design.
  - Hill: Phasing? EIR always said split based on funding, not on area, so will be built all at once.
  - 3. Stayner: Concerned about narrowing and slowing traffic on University. Left hand turns get clogged and back up easily. Do we need an entire bus lane if they aren't running all the time? Can cars turn right in those lanes? Cutting down two lanes of traffic to one? City: Not narrowing lanes, removing parking. Queueing left-turn pockets would have more length to stack. Designated bus lane reduces conflict from cars veering around buses. When is advertisement period (to get MAD established)? July 2017. How does MAD collect the funds? It is on your property taxes. This balloting is different than on the November ballot, it's a mailer outside of regular elections. If you'd like to help, Landsberg needs property owners in the area to present them the information that they need and help them see the greater good.
  - 4. Carlson: Landscaping is important in terms of sustainability. Landscaping was always part of this during the scoping meeting (and that included trees). Very unhappy to see loss of curb extensions, as they were part of the EIR as a mitigation (community benefit) and it's part of the walkability of North Park. City: Curb extensions are a great project piece, but at 52' across, University is very narrow. When engineers run automobile turn simulations, fire trucks cannot make the turns with curb extensions. Even when they drive completely on the wrong side of the road. Curb extensions also reduce parking
more. Carlson: On east coast they do curb extensions with only slight ramp up and down (like at 5<sup>th</sup> and Market downtown), but with highly visual delineation for standard drivers, so emergency vehicles can round these corners. Straughn will look into, but she is Public Works, separate from Transportation Department.

- 5. McAlear: Asked for follow-up on the impact of new left turn signals at University. Straughn: EIR included traffic studies for the impact of these two new signals.
- 6. Hilpert: City uses maintenance funding as an excuse too often, and is a source of frustration. The landscaping on this median should still be a priority.
- 7. Gebreselassie: Can see bus/bike lane being used by businesses loading/unloading, and may still create "veering" issues. City: Red curbs along whole thing, and could have enforcement program. Q: Are you putting in anymore head on parking around University? Straughn: There's no more to be added adjacent to University avenue, it's maxed out. Q: Is there a similar plan to do this on University Avenue in other parts (like University Ave). Straughn: This is kind of a pilot project, see if it works well here.
- 8. Barry: Plan isn't meant to reduce volume, which means traffic calming is going to slow everything down, like squeezing a balloon. There will be spillover in terms of parking and traffic. People are going to go to Lincoln, North Park Way. We appreciate the improvements and walkability, but there will be a price to pay.
- 9. Codraro: Even if there's no MAD, can you please bid this with irrigation as an alternative? Straughn: Management's decision right now is not without a MAD (or NPMS as a placeholder for a MAD).
- 10. Vidales: Will we get a signal at NP Way/805/Boundary? Straughn: Working with CalTRANS to see if they can install a signal, if not see what the City can do. If they don't come up with a conclusion, that would have to be a separate project from UAMP. Toni Atkins and Marty Block's offices can be contacted. Overall it's a good project, but it's not as excellent as it could be with these issues. Storm water permit violation caused
- North Park Main Street Wayfinding Project. Presented by Angie Landsberg, Simon Andrews, and Chris McCampbell. Executive Director NPMS.
   NP Parking garage has had issues with access (want to turn drivers into pedestrians), and NPMS wants to highlight it, then that grew into a larger wayfinding project.

#### XVI. Adjourn: 9:00 pm

Minutes submitted by Sarah McAlear



# **PHOTOGRAPHIC STUDY**

#### PROPOSAL TO MODIFY AN EXISTING WIRELESS COMMUNICATIONS FACILITY

Verizon Wireless **"North Park"** 3505 Georgia Street San Diego, Ca 92103

Prepared for: City of San Diego Development Services 1222 1st Ave. San Diego, Ca 92101

Prepared by:

PlanCom, Inc. Contractor Representatives for Verizon Wireless

302 State Place Escondido, CA 92029 Contact: Alex Hodge, Planning Consultant (951) 764-4713

November 30, 2015

Photo Study 11/30/2015

Page 1





West Elevation



South Elevation





North Elevation



East Elevation





View East



View West





**View North** 



View South



Photosimulation of proposed telecommunications site



These simulations are intended for graphical purposes only and not intended to be part of or to replace the information provided on the construction drawings 1/9/2017

Photosimulation of proposed telecommunications site

	BREVIATIC	anti-designation		Altoward generation				
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A.C.	ASPHALTIC CONCRETE	гс. F.L.	FLOW LINE	0.C.	ON CENTER			
BM.	BEAM	F.D.	FLOOR DRAIN	0.D.	OUTSIDE DIAMETER			
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C.B.	CATCH BASIN	G.I.	GALVANIZED IRON	SCHED.	SCHEDULE			
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ATTAC	HMENT 14
RIPTION	Date
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4: n n	Dept. A A&C RE RE RF INT EE OPS EE/OUT
O NO 27 OF UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY WA, PER MAP THEREOF BY G.A. DHEMECOURT IN BOOK & PAGE 36 OF E COUNTY RECORDER OF SAD COUNTY. OF GEORGIA STREET AND MYRTLE AVENUE, ABANDONED.	(949) 286-7000
IMENSIONS SHOWN HEREON ARE PER RECORD INFORMATION AND IE, PENDING RECEIPT OF TITLE REPORT.	(348
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EXISTING WEST ELEVATION

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# **ATTACHMENT 14**







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