

THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: March 30, 2017

REPORT NO. PC-17-005

HEARING DATE: April 13, 2017

SUBJECT: VERIZON AVIATION. Process Four Decision

PROJECT NUMBER: 255219

OWNER/APPLICANT: City of San Diego/Verizon Wireless (VAW), LLC

SUMMARY:

<u>Issue</u>: Should the Planning Commission approve a Wireless Communication Facility (WCF) at 6770 Aviation Drive in the Skyline – Paradise Hills Community Planning area?

<u>Staff Recommendation</u>: Approve Conditional Use Permit (CUP) No. 898651 and Planned Development Permit (PDP) No. 898652.

<u>Community Planning Group Recommendation</u>: On January 12, 2016, the Skyline – Paradise Hills Community Planning Committee voted 10-0-1 to recommend approval of the Verizon Aviation project with no conditions (Attachment 8).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15302 (Replacement or Reconstruction). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 9, 2016 and the opportunity to appeal that determination ended December 23, 2016 (Attachment 7).

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

<u>Code Enforcement Impact</u>: Pursuant to the Settlement Agreement discussed below, the City agreed not to take any Code Enforcement action while a permit application is pending.

BACKGROUND

The Verizon Aviation project is located at 6770 Aviation Drive in the RS-1-7 zone and designated Single-Family Residential in the Skyline-Paradise Hills Community Plan. The site is a prominent

hilltop surrounded by single-unit residential dwellings on the north, west and south with an undeveloped canyon zoned for residential on the west (Attachments 1, 2 and 3). Three WCFs consisting of 50-foot tall faux trees (T-Mobile, AT&T and Sprint), a 133-foot tall Verizon monopole and a 105-foot tall City monopole and all of the associated equipment enclosures are currently existing on the project site (Attachments 10 and 13).

A 100-foot tall water tank was originally located on the project site, but was removed more than 25 years ago. Verizon received approval from the City Council for a Conditional Use Permit (CUP) for a 133-foot tall monopole and a 572-square-foot equipment enclosure in 1984. The CUP expired in 2004, and in 2005, American Tower Corporation (ATC) (the tower manager) filed an application for a CUP/PDP to maintain the current monopole. The Verizon Aviation project was presented to the Planning Commission in June 2007 along with seven other ATC projects. The matter was continued six times until October 9, 2008, at which time, the attorney representing ATC offered to replace the monopole with a faux tree, with no reduction in height and no term limit, but those concessions would not take place until the City took the same actions on their adjacent 105-foot tall monopole. The Planning Commission voted 4-0-2 to deny the project. ATC appealed the decision and it was presented to the City Council on February 2, 2009 where they voted 8-0 to deny the appeal and uphold the decision of the Planning Commission.

A few weeks later, Verizon and ATC each filed separate lawsuits against the City in the United States District Court, Southern District of California, challenging the denial of the Aviation WCF and several other wireless projects. Subsequently, in 2011, the City entered into a Settlement Agreement (Agreement) with Verizon as to the litigation relating to their four sites, which included Aviation (Attachment 11) and the lawsuits were dismissed by Verizon and ATC as to those sites. The Agreement provides, in part, that Verizon would submit a new application for this site and allowed the City to hire a third party technical expert, paid for by Verizon, to review each of the projects and determine if the sites could be reduced in height. For the Aviation project, the Wireless Facility Engineering Report (Report) determined that there would be marginal coverage to the north and west which could be mitigated by construction of new sites and that an antenna height reduction to 80 feet or lower would be feasible with minimal reduction in existing coverage by adjusting the antenna down tilt. Verizon changed the proposed WCF to a 69-foot-tall monopine (Attachments 12 and 13), which is within the height range recommended by the third party technical expert. The Skyline - Paradise Hills Community Planning Committee and City staff recommend approval of the project.

DISCUSSION

Project Description:

The Verizon Aviation project proposes to remove an existing 133-foot tall monopole and replace it with a 69-foot tall monopine. The monopine would support twelve new panel antennas, six Remote Radio Units (RRU), a 2-foot diameter microwave dish, a 4-foot diameter microwave dish and a 6-foot diameter microwave dish. The existing 572-square-foot equipment enclosure will continue to be used and Verizon is proposing to install Radio Frequency (RF) transparent screens to conceal the two 6-foot diameter microwave dishes on the roof of the enclosure. In addition, a 160-square-foot block

enclosure to screen the mechanical units and a 96-square-foot enclosure to house an emergency generator are also proposed (Attachment 13).

Permit Requirements:

Pursuant to Land Development Code (LDC) Section 112.0103, applications that include more than one permit type shall be consolidated for processing and be reviewed at the highest level of authority for the development. Pursuant to the Agreement, signed in March 2011, *"The City agrees that it will process the new Verizon Wireless Applications under the ordinances and policies currently in effect."* As of the date of the Agreement, required permits for this project included a CUP and a PDP. If the project had been processed under the regulations in effect today, a Neighborhood Development Permit (NDP) would be required for the equipment enclosure, which exceeds the 250square-foot maximum. Instead, the PDP will address the deviation.

Community Plan/General Plan Analysis:

The Skyline-Paradise Hills Community Plan does not specifically address Wireless Communication Facilities (WCF). However, the City of San Diego's <u>General Plan, Section UD-A.15</u> requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view.

The project site is a prominent hilltop location in the community of Skyline – Paradise Hills. The existing Verizon 133-foot tall monopole supporting numerous types of antennas is visible to the community and beyond. Reducing the height by 64 feet and screening the antennas with foliage from the faux tree will greatly reduce the visual impact. Although the monopine will be 19 feet taller than the other faux trees on site, existing mature landscaping, in addition to 14 proposed 36-inch box Leyland Cypress, Canary Island Pine trees and 24 five-gallon Toyons, as illustrated on Exhibit A (Attachment 13) will serve to partially screen and enhance the appearance of the monopine.

The Verizon equipment enclosure on the southwest corner of the property would be primarily visible from the west; however, existing mature landscape provides screening from those views. As part of this project, Verizon is proposing to add roof top screens to conceal the two 6-foot diameter microwave dishes located on the equipment enclosure, which will provide additional screening of the WCF (Attachment 13).

The proposed project, which includes replacing the monopole with a monopine, maintaining the equipment enclosure and adding screening for associated components of the facility, reduces the visual impact of the while enabling its continued function as a WCF.

Council Policy 600-43, Wireless Communication Facilities

Council Policy 600-43, encourages wireless providers to locate WCFs away from residential and

other sensitive uses by providing lower permit process levels in commercial and industrial zones. For example, WCFs located in commercial and industrial zones are permitted with a Process One (staff-level) approval, whereas WCFs located in a residential zone with a residential use are permitted with a Process Four (Planning Commission) approval. The proposed project is located in a residential zone on a site with a non-residential use, which corresponds to a Process Three CUP. This location is more preferable than locating the WCF in a residential zone with a residential use, but is less preferable than locating the WCF in a commercial or industrial zone. Wireless carriers are required to provide coverage throughout their license area, which sometimes necessitates locating a WCF in a less preferable area (Attachment 9). The project is a Process Four decision level because a PDP is required for the height and equipment size deviations.

Conclusion:

With the exception of the height deviation and equipment enclosure size, 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 RS-1-7 zone and the Wireless Communication Facilities regulations Section 141.0420. Staff supports the project as proposed and therefore recommends approval of CUP No. 898651 and PDP No. 898652.

ALTERNATIVES

- 1. Approve CUP No. 898651 and PDP No. 898652 with modifications.
- 2. Deny CUP No. 898651 and PDP No. 898652 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,

Elype W. Lowe

Elyse W. Lowe Deputy Director Development Services Department

VACCHI/KAL

Karen Lynch Development Project Manager Development Services Department

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Environmental Exemption
- 8. Community Planning Group Recommendation
- 9. Coverage Maps
- 10. Photo Survey
- 11. Settlement Agreement
- 12. Photo Simulations
- 13. Project Plans



Aerial Photo





<u>Verizon Aviation (Skyline – Paradise Hills Community)</u> 6770 Aviation Drive

sandiego.gov



Community Plan



6770 Aviation Drive

sandiego.gov

ATTACHMENT

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Project Location Map



<u>Verizon Aviation (Skyline – Paradise Hills Community)</u> 6770 Aviation Drive

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PROJECT DATA SHEET

PROJECT NAME:	Verizon Aviation
PROJECT DESCRIPTION:	Removal of a 133' tall monopole and replacement with a 69' tall faux pine tree supporting 12 panel antennas and 6 Remote Radio Units and 3 microwave dishes. Use of an existing 572 sf equipment enclosure (supporting 2 microwave dishes) will continue and 160 sf enclosure to screen mechanical equipment and a 96 sf enclosure to house an emergency generator are proposed.
COMMUNITY PLAN AREA:	Skyline – Paradise Hills
DISCRETIONARY ACTIONS:	Conditional Use Permit/Planned Development Permit
COMMUNITY PLAN LAND USE DESIGNATION:	Single Family Residential

ZONING INFORMATION:

ZONE: HEIGHT LIMIT: FRONT SETBACK: SIDE SETBACK: REAR SETBACK:	.08 x lot width	,000 sf lots)		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Single Family; RS-1-7	Single-Unit Residential		
SOUTH:	Single Family; RS-1-7	Single-Unit Residential		
EAST:	Single Family; RS-1-7	Canyon		
WEST:	Single Family; RS-1-7	Single-Unit Residential		
DEVIATION REQUESTED:	Request to deviate from 30' height limit to construct a 69' tall faux tree and exceed the 250 sf maximum size for equipment enclosure.			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On January 12, 2016, the Skyline – Paradise Hills Community Planning Committee voted 10-0-1to recommend approval of the Verizon Aviation project with no conditions.			

PLANNING COMMISSION RESOLUTION NO. CONDITIONAL USE PERMIT NO. 898651 PLANNED DEVELOPMENT PERMIT NO. 898652 VERIZON AVIATION - PROJECT NO. 255219

WHEREAS, City Of San Diego, 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 No.'s 898651 and 898652), on portions of a .56-acre site;

WHEREAS, the project site is located at 6770 Aviation Drive in the RS-1-7 zone of the Skyline – Paradise Hills Community Plan;

WHEREAS, the project site is legally described as:

That portion of Lot 162, Encima de San Diego, in the City of San Diego, County of San Diego, State of California, according to the Map thereof, No. 1546, filed in the Office of the County Recorder of San Diego County, March 18, 1913, lying southerly from the southerly line of Benson Avenue, formerly Boston Avenue as shown on said Map No. 1546 and easterly from the following described line:

Commencing at the point of intersection of the southerly line of said Benson Avenue with the southwesterly line of Aviation Drive, formerly Lot 1, as shown on said Map No. 1546; thence along the southerly line of said Benson Avenue north 89° 11' west a distance of 65.00 feet to the true point of commencement; thence south 0° 49' west 181 feet, more or less, to an intersection with the center line of said Aviation Drive;

WHEREAS, on April 13, 2017, the Planning Commission of the City of San Diego considered Conditional Use Permit (CUP) No. 898651 and Planned Development Permit (PDP) No. 898652 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 9, 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 15302 (Replacement and/or reconstruction of 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 April 13, 2017.

FINDINGS:

Conditional Use Permit - §126.0305

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

The Skyline-Paradise Hills Community Plan did not contemplate Wireless Communication Facilities (WCF) at the time it was adopted in 1987. However, the City's General Plan addresses WCFs in the Urban Design Element (UD-A.15), which 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 the removal of an existing 133-foot tall monopole and the installation of a 69-foot tall monopine supporting twelve panel antennas, three microwave dishes and six Remote Radio Units. The associated equipment will continue to be housed inside a 572-squarefoot enclosure that supports two microwave dishes on the roof top. This project proposes two new Radio Frequency (RF) screens that would screen the dishes from view. A new 96-squarefoot enclosure would house a new emergency generator. The WCF is located on a hill top above the community of Skyline – Paradise Hills at 6770 Aviation Drive. The project site is zoned RS-1-7. WCFs are permitted in this zone with a Conditional Use Permit pursuant to compliance with the underlying zone and the WCF regulations. The project site currently supports three 50-foot tall faux trees for other wireless carriers and a 105-foot tall monopole owned by the City of San Diego which supports antennas used by the Department of Information Technology for dispatch and emergency communications.

The project site is a high point in the community. It is surrounded by single-unit residential dwellings. It previously supported a city water tank, which was removed a number of years ago and now contains three WCF and the City monopole. Replacement of the Verizon monopole with another faux tree will reduce the visual impacts by providing screening for the panel antennas as well as the microwave dishes. The site is generally surrounded by mature trees and shrubs, however, Verizon is proposing to plant fourteen 36-inch box trees to include Leyland Cypress and Canary Island Pine species as well as twenty-four 5-gallon Toyons to provide additional screening for the WCF.

The proposed WCF complies with SDMC 141.0420, Wireless Communication Facilities, as well as the design and location requirements of the City's General Plan. The proposed WCF will not adversely affect the applicable land use plan or the City's General Plan.

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

The project is located at 6770 Aviation Drive in the Skyline-Paradise Hills Community Plan area. The project proposes to replace an existing 133-foot tall monopole with a 69-foot tall monopine. Existing equipment is located in a 572-square-foot enclosure and a new 96-square-foot enclosure would house a replacement emergency generator. A chain link fence surrounds the project site and a locked gate secures the property.

The project was determined to be exempt from the California Environmental Quality Act pursuant to Section 15302 (Replacement or Reconstruction). 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, 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 to the maximum extent feasible with the regulations of the Land development Code; and

Wireless Communication Facilities (WCF) are permitted on premises with non-residential uses in residential zones with the processing of a CUP. The WCF Design Requirements [LDC Section 141.0420(g)(2)] state that WCFs "shall utilize all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or with existing uses shall be accomplished through the use of architecture, landscape, and siting solutions.

The project consists of the removal of 133-foot tall monopole and the installation of a 69-foot tall monopine which will support 12 panel antennas, three microwave dishes and six remote radio units. Verizon will maintain their existing 572-square-foot equipment enclosure supporting two six-foot diameter microwave dishes, but will add Radio Frequency (RF) transparent screens to conceal the dishes. A new 96-square-foot enclosure to house a replacement emergency generator is also proposed. The project requires a Planned Development Permit (PDP) to deviate from the 30-foot height limit in the RS-1-7 zone and to deviate from the maximum 250-square-foot equipment shelter size.

The project site is a high point in the community and is surrounded by single-unit residential dwellings. The property is owned by the City and although it once supported a water tank, it now supports three 50-foot tall faux trees (AT&T, Sprint and T-Mobile), a 105-foot tall City monopole and the existing 133-foot tall Verizon monopole and all of the associated equipment shelters. The Verizon monopole was originally approved in 1984 (for a period of twenty years) prior to regulations or policies specific to wireless communication facilities. Verizon developed their network around the monopole, however, over the past several years additional sites in the

area have been added that would allow this site to be reduced in height, from 133 feet to 69 feet. Mature trees and shrubs on the perimeter of the property and three WCFs disguised as trees provided an opportunity for Verizon to replace their monopole with a faux tree that is 64 feet lower in height than the existing monopole. With the addition of 14 Leyland Cypress and Canary Island Pine trees on the east side of the property, the Verizon monopine will integrate into the project site and views will be improved.

The .56-acre project site currently supports WCF for four carriers and a City communications tower. It is located on a hilltop surrounded by residential uses with the closest residential dwellings located to the west and north. Verizon's existing 572-square-foot equipment enclosure is located on the southwestern portion of the project site and is screened by existing mature landscape along the west where an adjacent home exists. Currently, there are two 6-foot diameter microwave dish antennas on the roof top, which will be concealed within RF transparent screens, reducing any visual impacts. The proposed 96-square-foot emergency generator enclosure on the east side of the equipment enclosure will not be visible to adjacent properties due to the topography. As this project is subject to the WCF regulations in effect in 2011, a PDP was required to deviate from the maximum equipment area size of 250-square-feet.

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

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

A City water tank was originally located on the project site, but was removed more than twenty years ago. Since that time, the site has been developed with WCF for four carriers in addition to a 105-foot-tall monopole used for city communication purposes. The hilltop location sits prominently above the surrounding residential development and the mature landscaping on the east and west sides of the property screens views of the Verizon WCF. Additional 36-inch box trees will be planted on the east side of the property to enhance screening and better integrate the proposed monopine into the setting.

Verizon is proposing to remove a 133-foot-tall monopole with exposed antennas and replace it with a 69-foot tall monopine supporting 12 panel antennas and three microwave dishes. In addition to the branches providing screening for the antennas, the panel antennas will be covered with pine needle socks to help blend them into the foliage. The microwave dishes will be painted the same color as the foliage and will be covered by branch antlers to further integrate them into the silhouette of the tree. The location of the monopine is on the west side of the property near the current location of the monopole. With the exception of three adjacent homes at approximately the same elevation as the project site, the majority of views of the Verizon WCF will be from much lower elevations and distant in most cases. An existing 30-foot tall California Pepper tree on-site as well as numerous mature trees off-site will screen the monopine from the residence on the west. The addition of fourteen 36-inch box trees will provide screening on the east side.

The demand for wireless services from residential consumers is significant resulting in carriers' having to locate within residential neighborhoods to provide these services. The WCF regulations encourage providers to seek out non-residential sites by providing a lower decision

process level. In this case, the project site is zoned for residential but used for WCF. If there were no deviations, the project would not require a PDP and would be processed as a CUP, Process Three. The permit will allow Verizon to maintain a WCF at this location, while upgrading the site to better integrate with the surroundings and improve views to the community, therefore, the use is appropriate at this location.

Planned Development Permit §126.0604

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

The Skyline-Paradise Hills Community Plan did not contemplate Wireless Communication Facilities (WCF) at the time it was adopted in 1987. However, the City's General Plan addresses WCFs in the Urban Design Element (UD-A.15), which 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 the removal of an existing 133-foot tall monopole and the installation of a 69-foot tall monopine supporting twelve panel antennas, three microwave dishes and six Remote Radio Units. The associated equipment will continue to be housed inside a 572-squarefoot enclosure that supports two microwave dishes on the roof top. This project proposes to new Radio Frequency (RF) screens that would screen the dishes from view. A new 96-squarefoot enclosure would house a new emergency generator. The WCF is located on a hill top above the community of Skyline – Paradise Hills at 6770 Aviation Drive. The project site is zoned RS-1-7. WCFs are permitted in this zone with a Conditional Use Permit pursuant to compliance with the underlying zone and the WCF regulations. The project site currently supports three 50-foot tall faux trees for other wireless carriers and a 105-foot tall monopole owned by the City of San Diego which supports antennas used by the Department of Information Technology for dispatch and emergency communications.

The project site is a high point in the community. It is surrounded by single-unit residential dwellings. It previously supported a city water tank, which was removed a number of years ago and now contains three WCF and the City monopole. Replacement of the Verizon monopole with another faux tree will reduce the visual impacts by providing screening for the panel antennas as well as the microwave dishes. The site is generally surrounded by mature trees and shrubs, however, Verizon is proposing to plant fourteen 36-inch box trees to include Leyland Cypress and Canary Island Pine species as well as twenty-four 5-gallon Toyons to provide additional screening for the WCF.

The proposed WCF complies with SDMC 141.0420, Wireless Communication Facilities, as well as the design and location requirements of the City's General Plan. The proposed WCF will 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 at 6770 Aviation Drive in the Skyline-Paradise Hills Community Plan area. The project proposes to replace an existing 133-foot tall monopole with a 69-foot tall monopine. Existing equipment is located in a 572-square-foot enclosure and a new 96-square-foot enclosure would house a replacement emergency generator. A chain link fence surrounds the project site and a locked gate secures the property.

The project was determined to be exempt from the California Environmental Quality Act pursuant to Section 15302 (Replacement or Reconstruction). 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, 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; and

This project is located on a non-residential property that is zoned RS-1-7. WCF are permitted on a parcel with a non-residential use in a residential zone with a Conditional Use Permit (CUP), Process Three. However, the RS-1-7 zone has a 30-foot height limit and Verizon is proposing a 69-foot tall monopine, which requires a Planned Development Permit (PDP). The purpose of a PDP is to "to encourage imaginative and innovative planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations." Reducing the height of the monopine to 30 feet will significantly reduce coverage and capacity impacting Verizon subscribers that currently rely on coverage from this site. It would also result in additional sites in and around the neighborhood to compensate for the loss of coverage caused by the reduction in height as cited in the Third Party Technical Report, prepared by RCC Engineering.

The existing 133-foot tall monopine was approved in 1984 for a period of 20 years. The Verizon network was developed around this site so consequently additional non-residential "fill-in" sites were required in order to make up for the 64-foot height reduction. Verizon has been processing those "fill-in" sites over the past few years in order to address the reduction in height recommended for this site. Removing the monopole which supports exposed antennas and

replacing it with a faux tree concealing the antennas in the tree foliage will improve views of the WCF and help it to more appropriately integrate into the property.

Verizon's existing 572-square-foot equipment enclosure is located on the southwestern portion of the project site and is screened by existing mature landscape along the west where an adjacent home exists. Currently, there are two 6-foot diameter microwave dish antennas on the roof top, which will be concealed within RF transparent screens, reducing any visual impacts. The proposed 96-square-foot emergency generator enclosure on the east side of the equipment enclosure will not be visible to adjacent properties due to the topography. As this project is subject to the WCF regulations in effect in 2011, a PDP was required to deviate from the maximum equipment area size of 250-square-feet. Reducing the size of the enclosure to 250 square feet would have a significant impact on Verizon's network operations at this site. At the time this site was originally developed, WCFs were located at higher elevations with antennas at greater heights. There were fewer WCFs in the initial phases of wireless technology and those that did exist maintained large equipment footprints to accommodate larger sized equipment and in this case, support microwave dishes. The Verizon network was developed around this initial site and was built to accommodate a lot of traffic from the large surrounding residential development and major streets in the community as well as interconnectivity with other microwave host sites in the network. Maintaining the equipment enclosure size is vital to current operations.

With the exception of height and equipment size deviations, the project will comply with the applicable regulations of the LDC.

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

A City water tank was originally located on the project site, but was removed more than twenty years ago. Since that time, the site has been developed with WCF for four carriers in addition to a 105-foot-tall monopole used for city communication purposes. The hilltop location sits prominently above the surrounding residential development and the mature landscaping on the east and west sides of the property screens views of the Verizon WCF. Additional 36-inch box trees will be planted on the east side of the property to enhance screening and better integrate the proposed monopine into the setting.

Verizon is proposing to remove a 133-foot-tall monopole with exposed antennas and replace it with a 69-foot tall monopine supporting 12 panel antennas and three microwave dishes. In addition to the branches providing screening for the antennas, the panel antennas will be covered with pine needle socks to help blend them into the foliage. The microwave dishes will be painted the same color as the foliage and will be covered by branch antlers to further integrate them into the silhouette of the tree. The location of the monopine is on the west side of the property near the current location of the monopole. With the exception of three adjacent homes at approximately the same elevation as the project site, the majority of views of the Verizon WCF will be from much lower elevations and distant in most cases. An existing 30-foot tall California Pepper tree on-site as well as numerous mature trees off-site will screen the monopine from the residence on the west. The addition of fourteen 36-inch box trees will provide screening on the east side.

The demand for wireless services from residential consumers is significant resulting in carriers' having to locate within residential neighborhoods to provide these services. The WCF regulations encourage providers to seek out non-residential sites by providing a lower decision process level. In this case, the project site is zoned for residential but used for WCF. If there were no deviations, the project would not require a PDP and would be processed as a CUP, Process Three. The permit will allow Verizon to maintain a WCF at this location, while upgrading the site to better integrate with the surroundings and improve views to the community, therefore, the use is appropriate at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, CUP No. 898651 and PDP No. 898652 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No.'s 898651 and 898652, a copy of which is attached hereto and made a part hereof.

Karen Lynch Development Project Manager Development Services

Adopted on: April 13, 2017

IO#: 24002114

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24002114

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 898651 PLANNED DEVELOPMENT PERMIT NO. 898652 VERIZON AVIATION PROJECT NO. 255219 PLANNING COMMISSION

This Conditional Use Permit No. 898651 and Planned Development Permit No. 898652 are granted by the Planning Commission of the City of San Diego to the City of San Diego, Owner, and Verizon Wireless (VAW), LLC, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420, 126.0303 and 126.0602. The .56-acre site is located at 6770 Aviation Drive in the RS-1-7 zone of the Skyline – Paradise Hills Community Plan. The project site is legally described as:

That portion of Lot 162, Encima de San Diego, in the City of San Diego, County of San Diego, State of California, according to the Map thereof, No. 1546, filed in the Office of the County Recorder of San Diego County, March 18, 1913, lying southerly from the southerly line of Benson Avenue, formerly Boston Avenue as shown on said Map No. 1546 and easterly from the following described line:

Commencing at the point of intersection of the southerly line of said Benson Avenue with the southwesterly line of Aviation Drive, formerly Lot 1, as shown on said Map No. 1546; thence along the southerly line of said Benson Avenue north 89° 11' west a distance of 65.00 feet to the true point of commencement; thence south 0° 49' west 181 feet, more or less, to an intersection with the center line of said Aviation Drive.

Subject to the terms and conditions set forth in this Permit, permission is granted to Permittee for a Wireless Communication Facility (WCF), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 13, 2017, on file in the Development Services Department.

The project shall include:

a. Removal of an existing 133-foot tall monopole and installation of a 69-foot tall monopine supporting twelve panel antennas, three microwave dishes and six Remote Radio Units;

- b. An existing 572-square-foot equipment enclosure with new Radio Frequency (RF) transparent screens concealing two microwave dishes on the roof top;
- c. A new 96-square-foot enclosure for a replacement emergency generator;
- d. A temporary 70-foot tall ballasted monopole supporting six panel antennas for use during the construction phase of the project;
- e. Landscaping (planting, irrigation and landscape related improvements); and
- f. 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, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by April 27, 2020.

2. This permit and corresponding use of this site shall expire on **April 27, 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 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 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 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 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 Permittee shall secure all necessary building permits. The 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 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 Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and 13. 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 Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the 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, 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 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 Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Permittee.

ENGINEERING REQUIREMENTS:

14. The project proposes to export 18.65 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 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 Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

17. Prior to the issuance of any construction permit, the Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

18. Prior to issuance of any construction permits for the telecom facility and associated structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance to Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40-square-foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

19. The Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

20. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

21. Any required planting that dies within three years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan.

22. Required shrubs or trees that die three years or more after installation shall be replaced with 15-gallon size or 60-inch box size /15 foot BTH material, respectively. Development Services may authorize adjustment of the size and quantity of replacement material.

PLANNING/DESIGN REQUIREMENTS:

23. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Permittee.

24. Verification that the 133-foot tall monopole has been removed from the property within nine months of the approval of this permit shall be provided to Development Services. The 70-foot tall temporary pole is permitted for a period of six months during installation of the faux tree and must be removed within 30 days of final inspection approval. Failure to meet these deadlines will result in referral to Code Enforcement, which may include civil penalties and/or fines for non-compliance with this permit.

25. Faux foliage must be maintained in the condition is which it was installed, in accordance with approved photo simulations. Faded, damaged, or otherwise deficient foliage must be replaced within thirty (30) calendar days of notification by the City of San Diego.

26. The approved antenna dimensions include: twelve panel antennas – 96" by 11.9" by 7.1", a 2foot diameter microwave dish, a 4-foot diameter microwave dish and a 6-foot diameter microwave dish all located on the faux tree as illustrated on the Exhibit "A" dated March 30, 2017. Two 6-foot diameter microwave dishes are approved for the roof top of the equipment enclosure behind RF transparent screens. Any future modifications to the antennas must be approved by Development Services. 27. All proposed hand-holes shall be covered with bark material to match the monopine, trunk to the satisfaction of the Development Services Department.

28. All coaxial conduits shall be routed up through the caisson and into the tree to the satisfaction of the Development Services Department. "Doghouse" cable housings are not permitted.

29. The overall shape and silhouette of the WCF must simulate a live tree at all times. All branches at the antenna level shall maintain a 24-inch extension beyond the entire vertical face of the antennas and shall not create a disproportioned tree.

30. Starting branch height shall be no lower than 10-feet and branch density shall be no less than four branches per foot.

31. All exposed cables, brackets and supports shall be painted to match the faux tree foliage to the satisfaction of the Development Services Department.

32. Ninety degree connectors shall be used for all coax exiting the antenna bottoms. Cables must be taut. No looping or hanging cables are permitted.

33. RF socks fully covering the front and back of the antennas shall be used. Any other associated components shall be painted to match foliage.

34. Prior to commencement of construction, the Permittee must contact the Department of Information Technology to arrange a Pre-Con meeting.

35. The 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.

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

37. 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.

38. 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.

39. The 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.

40. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

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 development permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this development 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 April 13, 2017 by Resolution No.

Permit Type/PTS Approval No.: CUP No. 898651/PDP No. 898652 Date of Approval: April 13, 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.

City of San Diego Owner

By_

Cybele Thompson Real Estate Assets Director

Verizon Wireless (VAW), LLC Permittee

By_

NAME: TITLE:

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

ATTACHMENT 7

TO: <u>X</u> Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2422 FROM: CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT 1222 FIRST AVENUE, MS 501 SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH 1400 Tenth Street, Room 121 Sacramento, CA 95814

PROJECT NO.: 255219 PROJECT TITLE: VERIZON AVIATION PROJECT LOCATION-SPECIFIC: 6770 AVIATION DRIVE, SAN DIEGO, CA 92114 PROJECT LOCATION-CITY/COUNTY: SAN DIEGO/SAN DIEGO

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: The project proposes a Conditional Use Permit (CUP), a Planned Development Permit (PDP), and a Neighborhood Development Permit (NDP) to replace an existing wireless communication facility (WCF) with a new facility consisting of a 70-foot-tall monopine supporting 12 panel antennas, 12 RRUs, and 3 microwave dishes. In addition, a 572-square-foot equipment enclosure would be located on-site, with two microwave dishes located on the roof of that enclosure. The project would replace an existing 133'2" monopole. The site is located at 6770 Aviation Dr. in the RS-1-7 zone, within the Skyline-Paradise Hills Community planning area.

NAME OF PUBLIC AGENCY APPROVING PROJECT: CITY OF SAN DIEGO

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: CURTIS DIEHL, PLANCOM, INC., 302 STATE PLACE, ESCONDIDO, 2ND FLOOR, CA 92029; 951-833-5779.

EXEMPT STATUS: (CHECKONE)

- () 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 : Sections 15302(Repl/ CEMENT/RECONSTRUCTION)

REASONS WHY PROJECT IS EXEMPT: This Class 2 exemption allows for the replacement and/or reconstruction of existing structures and facilities, where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity. None of the exceptions listed in CEQA Guidelines Section 15003.2 apply, therefore these exemptions are applicable to the proposed project.

LEAD AGENCY CONTACT PERSON: M.BLAKE

TELEPHONE: (619) 446-5375

IF FILED BY APPLICANT:

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

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

M. BLAKE/SENIOR PLANNER

JANUARY 5, 2017

DATE

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

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

THE CITY OF BAN DIEGO	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101				munity Planning Committee tion Form Part 2
Project Name:			Project	Number:	Distribution Date:
Verizon Aviation		-	2	255219	01/07/2016
supporting 15 panel a equipment is located	ion: HILLS - CUP/PDP Process 4. A v ntennas and 5 microwave dishes, n an existing 580 sq ft enclosure. Community Planning area. CD:4.	proposed to repl The site is locate	ace an e ad at 677	xisting 133'2" n	nonopole. Associated
Applicant Name:				Applicant I	Phone Number:
Project Manager:		Phone Number	: Fa	x Number:	E-mail Address:
Karen Lynch		(619) 446-535	1 (6)	19) 446-5245	KLynchAsh@sandlego.gov
 Vote to Approve Wote to Approve With Conditions Vote to Approve With Non-Bindim 	and the second	Members 10 Members 0w	Yes	Members No D Members No Members No	Members Abstain / Members Abstain Members Abstain
Vote to Deny		Members	Yes	Members No	Members Abstain
No Action (Pleas quorum, etc.)	e specify, e.g., Need further info	ormation, Split v	ote, La	ek of	Continued
CONDITIONS:					
NAME: John	Mooney			TITLE: (Chain PANADISE Ifich
SIGNATURE:	-tock. ho			DATE:	Jan 12, 2016
	ges If Necessary.	Please retur		t Division	

(01-12)

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THE CITY OF BAN DIEGO

City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

Community Planning Committee Distribution Form Part 1

Project Name:		Project Number:	Distribution Date:
/erizon Aviation		255219	01/07/2016
Project Scope/Location: SKYLINE-PARADISE HILLS - CUP/PDP I supporting 15 panel antennas and 5 micro s located in an existing 580 sq ft enclosur fills Community Planning area. CD:4. Tw	wave dishes, proposed to e. The site is located at 6	replace an existing 133	2" monopole. Associated equipmen
Applicant Name:		Applicant Phone Number:	
Project Manager:	Phone Number	: Fax Number:	E-mail Address:
Karen Lynch	(619) 446-53	619) 446-5245	KLynchAsh@sandiego.gov
			· · · · · · · · · · · · · · · · · · ·

ATTACHMENT 9 Aviation 6770 Aviation D. San Diego, CA



Existing coverage







PHOTOGRAPHIC STUDY AND KEY MAP

Aviation Verizon Wireless 6770 Aviation Drive San Diego, CA 92114

Prepared for: City of San Diego Development Services Department 1222 First Avenue San Diego, CA 92101

Prepared by:

PlanCom, Inc. Contractor Representatives for Verizon Wireless

302 State Place Escondido, CA 92029 Contact: Shelly Kilbourn, Land Use Consultant (619) 208-4685

March 23, 2017

Verizon Wireless Aviation



Looking at north elevation



Looking at east elevation

Verizon Wireless Aviation



Looking at south elevation



Looking at west elevation

Verizon Wireless Aviation



Development to the north of the site



Property to the west of the site

Verizon Wireless Aviation



Looking east from site



Looking south from site

Verizon Wireless Aviation



Aerial photo of site

Settlement Agreement

This Agreement ("Agreement") is made and effective as of March ____, 2011, by and among Verizon Wireless (VAW) LLC (hereinafter "Verizon Wireless") on the one hand, and the City of San Diego, California (hereinafter, "the City"). Verizon Wireless and the City may each be referred to as a "Party" or collectively as "the Parties" to this Agreement.

Recitals

A. In December 2005, American Tower Corporation (hereinafter, "ATC"), acting in its capacity as agent for Verizon Wireless, filed applications for permits associated with four existing Verizon Wireless-owned wireless sites ("ATC Applications"). The four Verizon Wireless-owned sites are located at 4586 Federal Boulevard ("Federal"); 797 1/3 30th Place ("30th Place"); 6426 Mt. Ada Road ("Mt. Ada") and 6770 Aviation Drive ("Aviation") and are collectively referred to herein as the "Sites." The City subsequently denied each of the ATC Applications.

B. Verizon Wireless and ATC, acting in its capacity as agent for Verizon Wireless, have individually filed Actions against the City in the United States District Court, Southern District of California, seeking relief for claims related to the City's denial of the ATC Applications. (A list of the individual Actions and the sites and permits at issue in each case is attached hereto as Exhibit 1. The cases are collectively referred to herein as the "Actions").

C. The City has filed answers to each of the Actions, denying all liability.

D. The Parties wish to avoid the expense, delay and uncertainty of litigation and to settle the disputes among them.

E. To settle their disputes, the Parties hereto have negotiated a settlement which is set forth below.
THEREFORE, the Parties agree as follows:

AGREEMENT

1. <u>New Applications for Permits</u>: Verizon Wireless has agreed that it will file a new application to obtain the appropriate use permit(s) for each of the existing Sites (hereinafter collectively, "New Verizon Wireless Applications") within ninety (90) days of dismissal of the claims and Actions identified in Paragraph 4

2. Processing of New Verizon Wireless Applications: The City agrees that it will process the New Verizon Wireless Applications under the ordinances and policies currently in effect. (Municipal Code Section 141.0420 et seq.). The Parties agree that they will work cooperatively and make a good faith effort to set the New Verizon Wireless Applications individually for hearing. Based upon this good faith agreement, Verizon Wireless agrees not to enforce or make claims in any future litigation challenges under the Permit Streamlining Act and/or Federal Communications Commission ("FCC") Order 09-99 with respect to the New Verizon Wireless Applications. This agreement extends only to the New Verizon Wireless Applications and to no other Verizon Wireless application currently pending before or filed in the future with the City. City staff will accept and analyze all permit information but will not make an ultimate recommendation for approval or denial of any of the permits sought by the New Verizon Wireless Applications and will prepare a balanced staff report that provides the necessary support for the decision makers' approval or denial of the applications. The Director of the Development Services Department will meet with representatives of Verizon Wireless before issuing any report to decision makers on the New Verizon Wireless Applications to discuss the contents of the staff draft report and to allow Verizon Wireless to comment on the balance of the report required by this provision. As a general practice, the City does not have meetings to

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discuss and allow comment on the staff report or require that the Director attend a meeting to discuss the staff report, but for purposes of this settlement, City agrees to this procedure for the New Verizon Wireless Applications. The Director of the Development Services Department will have the final authority to determine the contents of the staff report consistent with the requirements of this Agreement. To the extent that Verizon Wireless proposes to replace any current monopole with a new structure and the City grants a new permit for such site, the City will consider including within the new permit conditions a process for streamlined renewal of the new permit. Where the complexity of the methodology or analysis required to review an application for any one of the New Verizon Wireless Applications warrants the City's retention of a third party for technical review, the City may require Verizon Wireless to pay for a technical review by a neutral, third party expert, the costs of which up to \$2400 per application shall be borne by Verizon Wireless in addition to other applicable fees. The Parties will work together cooperatively to select the neutral third party expert. If Verizon Wireless chooses a neutral, third party expert above the \$2400 amount, Verizon Wireless shall bear the additional applicable fees.

3. <u>Discretionary Decision</u>. The Parties acknowledge and agree that the City decision maker has discretion to decide whether or not to approve or deny each of the New Verizon Wireless Applications. The Parties agree that nothing in this Agreement is intended to divest the City decision maker of that discretion.

4. <u>Dismissal of Claims without Prejudice</u>. Verizon Wireless will dismiss Case No. 09cv681 (relating to the Aviation, Mt. Ada, and 30th Place sites) in its entirety without prejudice and will direct ATC, as its agent, to dismiss Case Nos. 08cv0864 (relating to the 30th Place and Mt. Ada sites) and 09cv00439 (relating to the Aviation site) in their entirety without prejudice and to dismiss from Case No. 07cv00399 all claims relating to the Verizon Wireless-owned site

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(Federal) at issue in that case. The remaining claims in Case No. 07cv00399 would not be affected by this Agreement.

5. <u>Support for Request for Dismissal</u>. The Parties will join in a Joint Motion for an Order dismissing these Actions and claims without prejudice within thirty (30) days of execution of this agreement.

6. <u>No Enforcement Action</u>. During the period that the New Verizon Wireless Applications are pending at the City, the City agrees not to take any code enforcement action or seek any fines or penalties against any of the Sites.

7. <u>No Prejudice</u>. The City agrees that the New Verizon Wireless Applications are timely filed, notwithstanding the fact that the applications will have been filed a number of years after the alleged expiration dates of the permits for the Sites. The Parties shall not use the New Verizon Wireless Applications, this Agreement or dismissal of the Actions pursuant to this Agreement as a basis for asserting waiver, estoppel, laches, res judicata, collateral estoppel, ripeness, mootness, failure to exhaust, unclean hands, or any other legal or equitable defenses or claims based on or related to the passage of time with respect to the New Verizon Wireless Applications. Except as expressly provided herein, the Parties shall preserve any and all claims and defenses each has as to the Sites.

8. <u>Validity of Agreement</u>. The Parties may not raise as a defense in any subsequent proceeding or action related to these Sites or any other proceeding or action that this Agreement is invalid or void.

9. <u>No Third-Party Beneficiaries</u>. This Agreement is solely for the benefit of each Party individually and the Parties collectively. There are no intended third-party beneficiaries.

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10. <u>Representations and Warranties</u>. Each Party represents and warrants that it has full and complete power, capacity, and authority to enter into this Agreement and to consummate all transactions and perform all obligations contemplated hereby. Each Party represents and warrants that it has not assigned or transferred its rights, demands, claims, causes of action, and/or any interest related to this Agreement, either in full or in part, and further, that such Party is not a party to any agreement that could require it to sell, transfer, assign, or otherwise dispose of such rights, demands, claims, causes of action, and/or interest related to this Agreement, either in full or in part.

11. <u>Assignment</u>. No Party may assign its rights, duties, or obligations under this Agreement or any part thereof to any third person without the prior written consent of the other Party, which consent shall not be unreasonably withheld. Any purported assignment contrary to this section shall be void.

12. <u>Voluntary and Informed Consent</u>. The Parties warrant and represent that they have read and understand the foregoing provisions of this Agreement, that they have had the opportunity to discuss this Agreement with an attorney of their choosing, and that they and their respective signatories are fully authorized and competent to execute this Agreement on their behalf.

13. <u>Common Contribution</u>. This Agreement is drafted by a common contribution and editing among all the Parties to it; no inference shall arise or be applied against any Party on the theory that fewer than all the Parties drafted this Agreement.

14. <u>Entire Agreement</u>. This Agreement is an integrated agreement containing the entire understanding of the Parties with respect to the matters addressed herein and, except as set forth in this Agreement, no representations, warranties or promises have been made or relied on by the

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Parties. This Agreement shall prevail over any prior communications between the Parties or their representations relative to matters addressed herein. The Parties acknowledge that in signing this Agreement, they have relied only on the promises set forth herein.

15. <u>No Admission</u>. Nothing in this Agreement shall be construed as an admission or estoppel on the part of any Party as to any matter, including the legal necessity of the permitting process specified in this Agreement. This Agreement may not be introduced into evidence in any action or proceeding other than an action or proceeding to enforce the Agreement

16. <u>Governing Law</u>. This Agreement shall be governed by, and construed in accordance with, the laws of the State of California.

17. <u>Attorneys' Fees and Costs</u>. Each Party shall each bear its own costs and expenses, including attorneys' fees, including those incurred in connection with the Actions or the negotiation and execution of this Agreement and expressly waives any right to seek or claim any right to fees, costs or damages incurred as of the date this Agreement is executed. In the event of any proceedings to enforce this Agreement, the prevailing Party shall be entitled, in addition to any other appropriate relief, to recover its reasonable costs and attorneys' fees.

18. <u>Severability</u>. If any portion, provision, or part of this Agreement is determined or adjudicated to be invalid, unenforceable, or void for any reason whatsoever, each such portion, provision or part shall be severed from the remaining portions, provisions, or parts of this Agreement and shall not affect the validity or enforceability of any remaining portions, provisions, or parts.

19. <u>Counterparts</u>. This Agreement may be signed in counterparts which together shall constitute a single document. Facsimile, portable document format ("PDF"), and other electronic signatures shall have the same effect as manually signed originals.

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20. <u>Headings</u>. The section headings of this Agreement are for the convenience of reference only and shall have no effect on the interpretation of this Agreement.

21. <u>Effective Date</u>. "Effective Date" means and refers to the date on which this Agreement is signed by the Parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

Dated: March 24 , 2011

VERIZON WIRELESS (VAW) LLC

BV Its: WEST L. JONES, JE.

Dated: March ____, 2011

THE CITY OF SAN DIEGO

By: Its:

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VERIZON WIRELESS (VAW) LLC

₿¥ Its: WEST . JONES . JE.

THE CITY OF SAN DIEGO

Dated: March_, 2011 November 13, 2012

By: Allow, Its: Achief Operating Office.

20. <u>Headings</u>. The section headings of this Agreement are for the convenience of reference only and shall have no effect on the interpretation of this Agreement.

21. <u>Effective Date</u>. "Effective Date" means and refers to the date on which this Agreement is signed by the Parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

Dated: March ____, 2011

VERIZON WIRELESS (VAW) LLC

Dated: March 25, 2011

THE CITY OF SAN DIEGO

By: Its: Mar Bi

United States District Court, Southern District of California Case No. 07cv0399: American Tower Corporation, a Delaware corporation, Plaintiff, v. the City of San Diego, California, the City Council of the City of San Diego, California, and the Development Services Department of the City of San Diego, California, Defendants

Later Consolidated (11/19/2009) in re Cell Tower Litigation: Case Nos. 07cv0399 (LEAD CASE), 08cv00864, 09cv00439, 09cv0681, 09cv435, 09cv1879, 09cv1888

EXHIBIT 1 - LIST OF CASES INVOLVING VERIZON WIRELESS CELL SITES

Date of Initial Complaint	Case No.	Case Name	Permit numbers ¹	Cell Site/Address
3/2/07	07cv0399	ATC v. City of San Diego	CUP No. 292612	Federal Boulevard Site
				4586 Federal Boulevard
				[Note: This case also includes claims
				regarding the Verus Site (CUP No. 94-0471)
				which is not owned by Verizon Wireless].
5/14/08	08cv00864	ATC v. City of San Diego	CUP No. 296127	30 th Place Site
			PDP No. 453612	797 1/3 30 th Place
			CUP No. 292627	Mt. Ada Site
			SDP No. 450714	6426 Mt. Ada Road
3/5/09	09cv00439	ATC V. City of San Diego	CUP No. 296155	Aviation Site
			PDP No. 296156	6770 Aviation Drive
4/3/09	09cv0681	Verizon Wireless v. San Diego	CUP No. 296155	Aviation Site
			PDP No. 296156	6770 Aviation Drive
			CUP No. 296127	30 th Place Site
			PDP No. 453612	797 1/3 30 th Place
			CUP No. 292627	Mt. Ada Site
			SDP No. 450714	6426 Mt. Ada Road

8

¹ "CDP" refers to Conditional Use Permit; "PDP" refers to "Planned Development Permit"; and "SDP" refers to Site Development Permit.





Photosimulation of proposed telecommunications site: View #1 From Benson Ave. Looking East

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Photosimulation of proposed telecommunications site: View #2 From Pagel Looking East

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Photosimulation of proposed telecommunications site: View #3 Cielo Dr. Looking North



G

Photosimulation of proposed telecommunications site: View #4 From Benson & 69th Looking West



Photosimulation of proposed telecommunications site: View #5 From 69th Looking South

6







BUILDING SUMMARY

-	TOTAL			1,586	SQ.	FT.
9	VERIZON WIRELESS CONDENSER ENCLOSURE	PROPOSED	TELECOMMUNICATION EQUIPMENT	96	SQ.	FT.
0	VERIZON WIRELESS GENERATOR SHELTER	PROPOSED	TELECOMMUNICATION EQUIPMENT	160	sq.	FT.
-	VERIZON WIRELESS EQUIPMENT SHELTER	BUILT IN 1985	TELECOMMUNICATION EQUIPMENT	572	50.	FT.
0	T-MOBILE EQUIPMENT ENCLOSURE	BUILT IN 2010	TELECOMMUNICATION EQUIPMENT	242	SQ.	FT.
¢	SPRINT/NEXTEL EQUIPMENT SHELTER	BUILT IN 1995	TELECOMMUNICATION EQUIPMENT	200	SQ.	FT.
\$	CITY OF SAN DIEGO EQUIPMENT SHELTER	BUILT IN 1970	TELECOMMUNICATION EQUIPMENT	296	SQ.	FT.

GRADING VOLUMES:

	CAISSON FOOTING: GENERATOR SHELTER FOOTING: MECHANICAL ENCLOSURE FOOTING: COAXIAL CABLE TRENCH:	7.50 2.75 2.30 6.10	CU. CU.	YDS YDS
TOTAL:	······································	18.65	cu.	YDS
IMPORT:		0	cu.	YDS
REMOVE	& RE-COMPACT 3.65 CU. YDS AT C	ABLE TR	ENC	ł

PROJECT NOTES:

- 1. ANY ARTIFICAL LIGHTING SHALL BE DIRECTED OR SHIELDED 50 AS NOT TO FALL ONTO ADJACENT PROPERTY
- 2. NO EXISTING PARKING SPACE WILL BE USED OR REMOVED BY THIS PROJECT
- 3. THIS PROJECT PROPOSES NO WORK WITHIN THE PUBLIC RIGHT-OF-WAY
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE PERMITTEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONCOINS PERMANENT BMP MAINTENANCE, SATSFACTORY TO THE CITY ENGINEER
- 5. 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, DMISION 11 (GRADING REGULATIONS) OF THE SAN DEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS
- 6. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS

BOUNDARY NOTE:

EASEMENTS:

ATTACHMENT 13

325 CARLSBAD CARLSBAD, CA 9	VILLAGE DRIVE.	SUITE DE (760) 434-8474
veri	REPARED FO	or vireless
P, IRVINE (9	0. BOX 197 CA 92623 49) 222-70	07 i-9707 00
	APPROVALS	
A&C		DATE
RE		DATE
RF		DATE
INT		DATE
EE/IN		DATE
0P5		DATE
EE/OUT		DATE
P	ROJECT NAI	иe
AVI	ATION	SD
SAN	DIEGO CO	92114
DI	RAWING DAT	ES
08/23/11 11/16/11	ZD SUBMITTA	L (jab) 175 (jab)
01/12/12 01/30/14 11/24/14	CITY RESUBL REVISED ZD REVISED ZD	ITTAL-2 (cl)
01/12/15	(LOWER MON REVISED ZD	OPINE) #3 (ao)
06/08/15	(PCS ANTEN REVISED ZD (BRANCHES)	AS/AZIMUTH)
08/24/15 03/22/16	REVISED ZD REVISED ZD	≸5 (xrc) ≢6 (ac)
07/25/16	REVISED ZD (ADD TEMP.	∯7 (\$¥) POLE)
vi/11/17	REVISED ZD	¥a (]qp)
	SHEET TITL	E
Ş	SITE PLA	N
PROJE	CTS\VERIZON\1	1016zd
	= "= A-C)

PROPOSED VERIZON WIRELESS 6'-0" x 16'-0"
PROPOSED VERIZON WIRELESS 6'-0" x 16'-0" SPLIT-FACE CONCRETE BLOCK MECHANICAL ENCLOSURE. SEE EQUIPMENT PLAN SHEET A1
(TYPICAL)
PROPOSED VERIZON WIRELESS TEMPORARY 70'-0"
PROPOSED VERIZON WIRELESS TEMPORARY 70'0" BALLASTED MONOPOLE WITH SIX (6) ANTENNAS MOUNTED ON A PRECAST CONCRETE BALLASTED BASE
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(TYPICAL)
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FREQUENCY NOTES:
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FREQUENCY NOTES: VERIZON WIRELESS TELECOMMUNICATIONS TRANSMITTER FREQUENCIES AND POWER LEVELS: AWS EQUIPMENT:
FREQUENCY NOTES: VERIZON WIRELESS TELECOMMUNICATIONS TRANSMITTER FREQUENCIES AND POWER LEVELS: AWS EQUIPMENT: TX FREQUENCY: 2115-2130 MHz RX FREQUENCY: 2115-2130 MHz RX FREQUENCY: 1715-1730 MHz
FREQUENCY NOTES: YERIZON WIRELESS TELECOMMUNICATIONS TRANSMITTER FREQUENCIES AND POWER LEVELS: AWS EQUIPMENT: IX FREQUENCY: 1715–1730 MHz RX FREQUENCY: 1715–1730 MHz ITE EQUIPMENT:
FREQUENCY NOTES: VERIZON WIRELESS TELECOMMUNICATIONS TRANSMITTER FREQUENCIES AND POWER LEVELS: AWS EQUIPMENT: TX FREQUENCY: 115-130 MHz RX FREQUENCY: 715-730 MHz IX FREQUENCY: 756-787 MHz RX FREQUENCY: 756-787 MHz RX FREQUENCY: 756-787 MHz RX FREQUENCY: 756-787 MHz
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THE PROJECT BOUNDARY SHOWN ON THIS DRAWING IS APPROXIMATE AND IS SHOWN FOR REFERENCE ONLY. A BOUNDARY SURVEY WAS NOT PERFORMED BY FLOYD SURVEYING, INC.

NO EASEMENTS ARE SHOWN WHICH REFLECT PRELIMINARY RESEARCH OF RECORDED PARCEL MAPS. EASEMENTS ARE SUBJECT TO REVIEW OF TITLE REPORT

















- PROPOSE 4'-0'9 YERIZON WIRELESS MICROWAVE ANTENNA MOUNTED ON NEW MONORINE (MICROWAVE #3 OF 5) SEE DETAIL 43







BOOTH &
J25 CARLSBAD VILLAGE DRIVE, SUITE DR CARLSBAD, CA 92008 (760) 434-8474
PREPARED FOR
Verizon wireless
P.O. BOX 19707 IRVINE, CA 92623-9707 (949) 222-7000
APPROVALS
A&C DATE
RE DATE
RF DATE
INT DATE
EE/IN DATE
OPS DATE EE/OUT DATE
EE/OUT DATE
AVIATION SD
6770 AVIATION DRIVE
SAN DIEGO, CA 92114 SAN DIEGO COUNTY
12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
DRAWING DATES 08/23/11 ZD SUBMITTAL (job) 11/16/11 CITY COMMENTS (job)
01/12/12 CITY RESUBMITTAL-2 (cl) 01/30/14 REVISED ZD ∉1 (cl)
11/24/14 REVISED ZD #2 (kmt) (LOWER MONOPINE) 01/12/15 REVISED ZD #3 (ao) @
(PCS ANTENNAS/AZIMUTH) 06/08/15 REVISED ZD #4 (00) (BRANCHES)
08/24/15 REVISED ZÖ ≱5 (xrc) 03/22/16 REVISED ZD ∦6 (qo)
07/25/16 REVISED ZD ≱7 (sv) (ADD TEMP, POLE) 01/11/17 REVISED ZD ≰8 (jab)
SHEET TITLE
MICROWAVE PLAN
& DETAILS
PROJECTS\VERIZON\11016zd
A-5





- EXISTING VERIZON WIRELESS CONCRETE BLOCK EQUIPMENT SHELTER WALL
- EXISTING SLEEPERS FOR MICROWAVE MOUNTING, LOCATED UNDER EXISTING ROOF MEMBRANE, RELOCATE AS REQUIRED (TYPICAL OF 2)
- Relocated sleepers for microwave mounting, remove and replace existing roof membrane. Match existing in-kind
- RELOCATED W8x15 GALVANIZED STEEL BEAMS (ABOVE) (TYPICAL OF 2) (SHOWN SHADED) REMOVE AND REINSTALL AS REQUIRED.
- (6) PROPOSED W6x15 GALVANIZED STEEL BEAMS TO REMAIN (ABOVE) (TYPICAL OF 8)
- RELOCATED GALVANIZED STEEL MICROWAVE MOUNTING FRAME TO REMAIN
- (B) EXISTING MICROWAVE DISHES. RELOCATE AS REQUIRED (TYPICAL OF 2)
- PROPOSED RF TRANSPARENT SCREENS AROUND MICROWAVE DISHES. (TYPICAL OF 2) (SHOWN SHADED)





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	PARED FOR
veriz	On wireless
P.O. IRVINE, ((949	BOX 19707 CA 92623-9707 1) 222-7000
Al	PPROVALS
A&G	DATE
RE	DATE
RF	DATE
INT	DATE
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OPS	DATE
EE/OUT	DATE
PRC	DJECT NAME
AVIA	TION SD
SAN DI	AVIATION DRIVE EGO, CA 92114 MEGO COUNTY
	WING DATES
11/16/11	ZD SUBMITTAL (Job) City Comments (Job) City Resubmittal—2 (ci)
01/30/14 11/24/14	REVISED ZD #1 (rl) REVISED ZD #2 (kmt)
01/12/15	(LOWER MONOPINE) REVISED ZD ≸3 (ao) @ (PCS ANTENNAS/AZIMUTH)
06/08/15	REVISED ZD #4 (cc) (BRANCHES) REVISED ZD #5 (xrc)
03/22/16 07/25/16	REVISED ZD #6 (co) REVISED ZD #7 (sv)
01/11/17	(ADD TEMP. POLE) REVISED ZD #8 (Job)
Sł	HEET TITLE
C	DETAILS
	######################################
PROJECTS	S/VERIZON/ 11016zd
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WATER CONSERVATION NOTES

- ALL LANDSCAPE AND IRRIGATION DESIGN, INSTALLATION AND MAINTENANCE, SHALL CONFORM TO LANDSCAPE REGULATIONS AND ALL OTHER CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER APPLICABLE CITY AND REGIONAL STANDARDS FOR LANDSCAPE INSTALLATION AND MAINTENANCE
- 2. PLANT MATERIAL SELECTED FOR THIS PROJECT WILL BE OF A TYPE KNOWN TO BE SUCCESSFUL IN THE AREA OR IN SIMILAR CLIMATIC AND SOIL CONDITIONS
- LANDSCAPE FINISH GRADING OBJECTIVES WILL INCLUDE POSITIVE SURFACE DRAINAGE OF PLANTED AREAS THROUGHOUT THE PROJECT AREA
- ALL PERMANENTLY LANDSCAPED AREAS WILL BE SERVED BY PERMANENT, AUTOMATIC, UNDEROROUND, IRRIGATION SYSTEMS USING LOW PRECIPITATION FIXED AND POP UP SPRAY HEADS
- ALL SOILS WILL BE FERTILIZED, AMENDED, AND TILLED TO CONFURM TO RECOMMENDATIONS MADE BY A SOIL TESTING LABORATORY AND/OR LANDSCAPE ARCHITECT IN ORDER TO PROMOTE HEALTHY AND VIGOROUS PLANT GROWTH
- 6. ALL PLANTING AREAS WILL BE MAINTAINED IN A WEED AND DEBRIS FREE CONDITION
- ALL ON-SITE IRRIGATION IMPROVEMENTS SHALL BE PART OF THE EXISTING POTABLE WATER DISTRIBUTION SYSTEM FOR THE EXISTING LANDSCAPE AREAS
- 8. SPRINKLER HEADS SHALL BE ADJUSTED FOR OPTIMUM PERFORMANCE. THIS SHALL INCLUDE THROTTLING THE FLOW CONTROL AT EACH VALVE TO OBTAIN THE OPTIMUM OPERATING PRESSURE FOR EACH SYSTEM. CONDITIONS THAT CAUSE OVER-SPRAY, PONDING, OR RUM-OFF SHALL BE ELUMINATED. ADJUST SYSTEM TO AVOID THESE CONDITIONS CONTRACTOR IS TO FIELD VERIFY EXISTING IRRIGATION SYSTEM IS IN WORKING ORDER. VERIFY PROPER COVERAGE
- 9. BEST IRRIGATION MANAGEMENT PRACTICES SHALL BE USED TO ELIMINATE OR CONTROL TO THE BEST EXTENT POSSIBLE PONDING, RUN-OFF, OVER-SPRAY AND MISTING
- 10. IRRIGATION HEADS SHALL BE LOCATED OR ADJUSTED TO MINIMIZE OR ELIMINATE OVER-SPRAYING ON SIDEWALKS, STREETS AND NON-DESIGNATED USE AREAS

NOTES:

- 1. ALL EXISTING PLANTING AND IRRIGATION SHOWN ON THE PLANS IS TO REMAIN
- 2. ANY LANDSCAPING THAT IS DAMAGED OR REMOVED DURING DEMOL/TION OR CONSTRUCTION SHALL BE REPLACED IN-KIND PRIOR TO FINAL INSPECTION

EYNEOL	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT A SPREAD	FORM / FUNCTION	PLANTING BIZE	QTY.
TI	EXISTING PINUS CANARIENSIS TO REMAIN	CANARY ISLAND PINE	BO' HEIGHT 30' SPREAD	VERTICAL COLUMN SCREEN	EXISTING	3
	EXISTING OLEA EUROPAEA 'WILSONII' TO REMAIN	FRUITLESS OLIVE	25' HEIGHT 25' SPREAD	SCREENING	EXISTING	g
ST3	EXISTING WASHINGTONIA ROBUSTA TO REMAIN	MEXICAN FAN PALM	75' HEIGHT 12' SPREAD	DECORATIVE	EXISTING	18
о т4	Existing Schinus Wolle To Remain	CALIFORNIA PEPPER TREE	40' HEIGHT 40' SPREAD	SCREENING	EXISTING	4
R	EXISTING EUCALYPTUS CITRIODORA TO REMAIN	LEMON SCENTED EUCALYPTUS	60' HEIGHT 40' SPREAD	SCREENING	EXISTING	1
III 81	EXISTING PHORMIUN TENAX TO REMAIN	SHIRAZ' NEW ZEALAND FLAX	3' HEIGHT 3' SPREAD	SCREENING	EXISTING	17
Å 62	EXISTING RHUS INTEGRIFOLIA TO REMAIN	LEMONADE BERRY	10' HEIGHT 10' SPREAD	SCREENING	EXISTING	2
	EXISTING ARCTOSTAPHYLOS DENSIFLORA TO REMAIN	HOWARD McMinn Manzanita	5' HEIGHT 5' SPREAD	SCREENING	EXISTING	-



PLANTING NOTES

1. THE PLANTING PLAN IS DIAGRAMMATIC AND SHALL BE USED AS A GUIDE FOR SETTING OUT PLANTS. PRIOR TO PLANTING, THE LANDSCAPE ARCHITECT SHALL BE CONTACTED TO APPROVE ALL PLANT LOCATIONS AND DIRECT ADJUSTMENTS.

2. PLANT MATERIALS SHALL CONFORM TO NURSERYMAN'S STANDARDS FOR SIZE AND HEALTH. ALL PLANTS ARE SUBJECT TO REJECTION BY THE LANDSCAPE ARCHITECT IN SUBSTANDARD IN SIZE, QUALITY, OR HEALTH.

3 PROVIDE WATERPROOF SPECIES IDENTIFICATION TAGS ON ONE PLANT PER SPECIES PER GROUPING.

4. PLANT COUNTS ARE FOR THE CONVENIENCE OF THE LANDSCAPE CONTRATOR ONLY, CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON THE PLAN

5. IRRIGATION SYSTEM SHALL BE FULLY OPERATIONAL AND ALL PLANTING AREAS THOUROUGHLY SOAKED PRIOR TO PLANTING

6. LANDSCAPE CONTRACTOR SHALL REMOVE EXISTING VEGETATION, TRASH, CUPPINGS, ROCK AND OTHER DEBRIS IN PLANTING AREAS. RAKE AND FINE GRADE ALL PLANTING AREAS PRIOR TO COMMENCEMENT OF PLANTING OPERATIONS, EXISTING LANDSCAPING ON AND ADJACENT TO THE SITE SHALL BE PROTECTED IN PLACE AND SUPPLEMENTED OR REPLACED TO MEET THE SATISFACTION OF THE PLANNING OPERATIONT.

7. PLANTING PITS SHALL BE TWICE THE CONTAINER WIDTH AND OF EQUAL DEPTH. PLANTING PITS AND PLANTERS SHALL BE BACKFILLED WITH EXISTING SITE SOIL AND 1/4 (BY VOLUME) NITRIFIED TOP SOIL.

8. TREES AND SHRUBS SHALL BE FERTILIZED AT THE TIME OF PLANTING WITH 21-GRAM AGRIFORM TABLETS AT THE FOLLOWING RATES:

-1 GAL, - 1 TABLET -5 GAL, -3 TABLETS -15 GAL, -5 TABLETS

-1 TABLET FOR EACH 6" OF BOXED TREE SIZE -GROUNDCOVER-(5 GRAM 20-10-5 TABLET)

9. DOUBLE STAKE 15 GALLON AND 24" BOX TREES. GUYING OF LARGER TREES SHALL BE REQUIRED, CONTRACTOR SHALL BE RESPONSIBLE FOR TREE STABILITY DURING LENGTH OF THE GUARANTEE PERIOD.

10. VERIFY TREE PIT DRAINAGE WITH 24 HOUR WATER FILL TEST PRIOR TO PLANTING. ALL BOXED TREES NOT DRAINING ARE TO HAVE A 4" DIAMETER AUGER HOLE DRILLED THROUGH ANY HARDPAN OR COMPACTED EARTH AS REQUIRED TO PROVIDE DRAINAGE IN A 24 HOUR PERIOD.

11. ALL PLANTING AREAS EXCEPT SLOPES SHALL BE PREPARED BY APPLYING THE FOLLOWING AMENDMENTS TO THE SOIL AND TILLING INTO THE TOP 6" 3 CU. YD,/1000 S.F. NITRIFIED WOOD SHAVINGS 100LBS./1000 S.F. AURICULTURAL GYPSUM 25 LBS./1000 S.F. 12-12-12 FERTILIZER

NOTE: SUBJECT TO CHANGE PER SOIL TEST RECOMMENDATIONS.

12. SOIL TEST SHALL BE PERFORMED BY A SOIL TESTING LABORATORY (APPROVED BY THE CITY). THE TEST SHALL INDICATE BUT NOT BE LIMITED TO THE FOLLOWING: ORGANIC MATTER CONTENT

A. ORGAN B. N.P.K. C. PH D. ED

U. EU E. SOIL TEXTURE (SILT, CLAY, SAND) F. RECOMMENDATIONS FOR AMENDMENTS, LEACHING, AND MAINTENANCE THE RESULTS AND RECOMMENDATIONS OF THE SOIL TESTING LABORATORY SHALL BE SUBMITTED TO AND APPROVED BY THE CITY, POST PLANTING FERTILIZATION SHALL BE PERFORMED BY CONTRACTOR AT 30, 60, AND 90 DAYS AFTER PLANTING.

13. PLANTS SHALL NOT BE PLACED WITHIN 12" OF SPRINKLER HEADS.

14. ROOT BARRIERS (INCLUDING BIO-BARRIERS) SHALL BE INSTALLED ADJACENT TO ALL PAYING SURFACES, WHERE A PAYING SURFACE IS LOCATED WITHIN 6 FEET DF A TREE'S TRUNK. ROOT BARRIERS SHALL EXTEND 5 FEET IN EACH DIRECTION FROM THE CENTERLINE OF THE TRUNK, FOR A TOTAL DISTANCE 0F 10 FEET. ROOT BARRIERS SHALL BE 24" IN DEPTH

15. PROVIDE A 3" LAYER OF "WALK ON BARK" FOR ALL NON-TURF AREAS LESS STEEP THAN 3:1, SUBMIT SAMPLE TO CITY INSPECTOR FOR APPROVAL PRIOR TO "BULK DELIVERY" TO SITE

16. LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS FOR À PERIOD OF THREE MONTHS AFTER CITY ACCEPTANCE, ALL AREAS SHALL PE KEPT CLEAN, WATERED, AND WEED-FREE, ALL DEAD OR DYING PLANTS SHALL BE REPLACED DURING THE MAINTENANCE PERIOD ACCORDING TO THE SPECIAL PROVISIONS.

17. CONTRACTOR SHALL GUARANTEE PLANT LONGEVITY AS FOLLOWS: TREES-ONE YEAR, SHRUBS & GROUNDCOVER-SIX MONTHS.

18. THE LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER IN PERPETUTY PER CITY OF SAN DIEGO REQUIREMENTS AND PER THE TERMS OF THE PERMIT.

VERIZON WARELESS IS RESPONSIBLE FOR THE LONG TERM MAINTENANCE OF THEIR PROJECT AREA AT 6770 AVIATION DRIVE

NOTES:

- 1. ALL EXISTING PLANTING AND IRRIGATION SHOWN ON THE PLANS IS TO REMAIN
- 2. ANY LANDSCAPING THAT IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION SHALL BE REPLACED IN-KIND FRIOR TO FINAL INSPECTION
- CONTRACTOR SHALL TIE INTO EXISTING IRRIGATION SYSTEM. CONTRACTOR SH REPLACE EXISTING RAINBIRD ESP CLOCK TO ACCOMODATE ADDITIONAL VALVES (STATIONS) IF RECESSARY.



















DATE OF SURVEY:



DATUM STATEMENT: city of san diego benchmark no. 20455. DESCRIPTION: BRASS PLUG IN THE TOP OF A DRAIN INLET AT THE SOUTHEAST OUADRANT OF THE INTERSECTION OF WOODMAN STREET AND IMPERIAL HIGHWAY. ELEVATION: 235.70 DATUM: MEAN SEA LEVEL

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P.O. BOX 1 IRVINE, CA 92 (949) 222-	
CONSULTA	
JRN CIVIL ENGIN 232 AVENIDA FA SUITE 1(SAN CLEMENTE, (949) 248-	IEERS BRICANTE, D7 CA 92672
PROJECT I	
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6770 AVIA San Diego, C. San Diego (A, 92114
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