



DATE: March 25, 2013

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF CONDITIONAL USE PERMIT (CUP12-00038) FOR EQUIPMENT UPGRADES AND THE CONTINUED OPERATION OF A WIRELESS COMMUNICATIONS FACILITY LOCATED AT 3910 WEST VISTA WAY – SPRINT @ 3910 WEST VISTA WAY – APPLICANT: SPRINT/NEXTEL C/O ALCATEL LUCENT**

### **RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class One (1), Categorical Exemption “Existing Facilities”; and,
- (2) Adopt Planning Commission Resolution No. 2013-P15 approving Conditional Use Permit CUP12-00038 with findings and conditions of approval attached herein.

### **PROJECT DESCRIPTION AND BACKGROUND**

**Site Review:** The project site is located at 3910 West Vista Way, on top of an existing commercial building. The property has a land use designation of Community Commercial (CC) on the General Plan Land Use Map and is also zoned Community Commercial (CC) on the official zoning map.

Surrounding land uses include single family residences to the north, a mix of commercial and office buildings to the east and west, and Vista Way and Highway 78 to the south.

**Project Background:** This project site was initially approved for a wireless communications facility pursuant to the City Planner's decision dated July 29, 2002. The original Administrative Conditional Use Permit (ACUP-4-01) granted Nextel Communications entitlements for the installation of three arrays of four communication antennas mounted behind a 5-foot tall extension to an existing 2-foot tall rooftop parapet on an existing commercial building located at 3910 West Vista Way. All twelve antennas were installed.

Entitlements granted by Administrative Conditional Use Permit (ACUP-4-01) expired on July 29, 2007.

**Project Description:** The project application is comprised of the following required entitlement:

Conditional Use Permit CUP12-00038 represents a request for the following:

- (a) Equipment upgrades necessary to accommodate fourth generation wireless technologies (4G) and the continued operation of a wireless communications facility. Facility upgrades consists of the removal of three (3) existing antennas and the installation of three (3) new antennas divided into three (3) sectors behind the existing rooftop parapet of a commercial building. Nine (9) additional existing antennas are proposed to remain with no modifications. Other equipment upgrades include the installation of: three (3) remote radio units (RRU's), one (1) fiber junction box, three (3) hybriflex fiber optic cables, and fiber backhaul service. Additionally, all of the existing Sprint Coaxial cables would be removed and an existing GPS antenna would be removed and replaced with a new GPS antenna. The existing modcell cabinet would be upgraded to accommodate the new equipment.

Article 39 of the City's Zoning Ordinance (Wireless Communications Facility, Satellite Dish and Antenna Standards) allows the establishment and operation of single provider, building-mounted communications facilities subject to approval of a Conditional Use Permit and is contingent upon standards, findings, and conditions articulated in Article 39 and Article 41 (Use Permits and Variances) of the City's Zoning Ordinance.

The project is subject to the following Ordinances, City policies, and the State of California Government Code:

1. General Plan
2. Zoning Ordinance
3. State of California Government Code 65850
4. California Environmental Quality Act (CEQA)

## **ANALYSIS**

### **KEY PLANNING ISSUES**

#### **1. General Plan conformance**

The General Plan Land Use Map designation for the subject property is Community Commercial (CC). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

#### **Land Use Element**

#### **Goal 2.726: Communication Systems**

**Objective:** To provide for the efficient and aesthetic functioning of communication systems within the City.

#### **Policies:**

- A. The City shall encourage planning for the future communication system needs of individual land developments or uses and the City in general.
- B. Communication facilities shall be required to conform visually to surrounding land uses and/or natural features.
- C. The City shall require the consolidation and joint-use of communication facilities and structures whenever possible.

Sprint seeks to upgrade equipment necessary to accommodate fourth generation (4G) wireless technologies and continue operating a wireless communications facility on an existing commercial building in order to provide the residents of Oceanside the latest in wireless technology by improving call quality, data transmission and speed. Signal coverage maps are attached to this staff report.

The project site is located in a developed area behind the rooftop parapet of an existing commercial building. Commercial buildings have proven to be ideal locations for wireless communications facilities because the antenna use can easily be integrated into the operation of the building without impacting on-site or surrounding land uses. The proposed antenna upgrades would be completely concealed from public view behind architectural features that have been incorporated into the design of the commercial building.

The Planning Division finds that the proposed project is consistent with General Plan policies pertaining to the efficient operation and aesthetics of communication systems within the City.

## **2. Zoning Ordinance Compliance**

As noted above, the project is subject to Article 39 of the City's Zoning Ordinance, which lists operation and maintenance standards, wireless communication facility standards, locational and site standards, site development standards, and safety and monitoring standards.

The proposed facility would be unmanned, requiring approximately one (1) maintenance visit per month. Standard conditions of approval will ensure that the proposed facility remains in good repair and free of debris, litter, and graffiti, and that any damage or blight shall be corrected upon written notice by the City. In addition, this facility would comply with Federal Communications Commission (FCC) regulations regarding radiofrequency (RF) emissions safety (see discussion below).

Zoning Ordinance design standards require that wireless communications facilities employ camouflage design techniques in order to minimize visual impacts. As noted earlier, the proposed project would be located behind a rooftop parapet screen wall. This parapet has been designed to match the color, size, proportion, style, texture, and quality of the exterior design and architectural character of the existing commercial building.

Locational and siting standards establish an order of preference for properties on which wireless communications facilities are proposed. The most preferred locations for such facilities are City-owned sites and the least preferred locations are those within residential districts. The proposed project would be located within a commercial district, which is the third most desirable location out of seven. It is staff's position that since the proposed facility would be more than 800 feet removed from residential neighborhoods to the north, the facility would be sufficiently separated from the surrounding residential zone districts. Furthermore, the height of the building (68 feet above ground level), coupled with the location of the antennas behind a parapet, would mitigate any potentially adverse visual impacts to the surrounding environment.

Site development standards for wireless communications facilities include height limitations that specify that the height of building mounted antennas shall be measured from the building roof the antenna is mounted on to the top of the antenna or screening structure, whichever is higher. The commercial building is 29'8" in height. As designed and conditioned, the proposed antennas will not extend beyond the height of the rooftop parapets. The proposed facilities would be consistent with all other applicable development standards for the community commercial zone, including minimum setbacks from property lines.

At all times, wireless communications facilities are required to comply with the most current regulatory and operational standards including, but not limited to, radiofrequency (RF) radiation exposure standards adopted by the FCC. Based on worst-case predictive modeling, RF exposure on accessible rooftop walking/working surfaces and at ground level would not exceed the FCC's occupational or general public exposure limits.

### **3. State of California Government Code 65850**

California State Government Code 65850.6(b) states that a city shall not unreasonably limit the duration of any permit for a communication facility. Limits of less than 10 years are presumed to be unreasonable absent public safety reasons or substantial land use reasons. The recommended 10-year limit conditional approval will ensure that technological enhancements or other aesthetic analyses of the site, would be accommodated.

## **DISCUSSION**

*Issue: Compliance with Federal Communications Commission (FCC) rules and regulations*

*Recommendation:* The compliance documentation submitted by Sprint indicates that based on worst-case predictive modeling, there are no areas at ground level that exceed exposure limits. At ground-level, the maximum power density generated by the antennas is 11.00 percent of the general public limit (2.20 percent of the FCC's occupational limit). Emissions on the rooftop will be minimal due to the fact that the nearest walking surface to the antennas is the ground level. Thus, staff finds that the proposed project is in compliance with FCC regulations.

*Issue: Compatibility with surrounding land uses*

*Recommendation:* In evaluating the compatibility of the proposed project with the surrounding environment, staff has considered the visual impacts of the proposed project. Staff finds that the proposed project would not have adverse visual impacts on adjacent residential neighborhoods, commercial and industrial buildings, and roadways due to the distance between the facility and the nearest residential properties and the proposed camouflage design. The facility has been in existence for more than 10 years and no complaints have been filed with the City in regards to visual impacts.

For the reasons established above, it has been determined that the proposed wireless communications facility would be compatible with the surrounding land uses and would not diminish the aesthetic value of the surrounding area.

## **ENVIRONMENTAL DETERMINATION**

Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project constitutes operations within existing facilities that will not involve expansion beyond what exist on-site at this time, and the project is categorically exempt, Class 1, "Existing Facilities" (Section 15301).

## **PUBLIC NOTIFICATION**

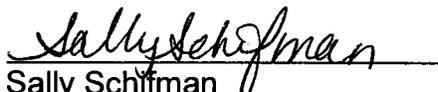
Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

## **SUMMARY**

The request for approval of the Conditional Use Permit to allow for equipment upgrades necessary to accommodate fourth generation wireless technologies (4G) and the continued operation of a wireless communications facility on an existing commercial building is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets all applicable development standards and will not impact existing land uses in the immediate area. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

- Confirm issuance of a Class One (1), Categorical Exemption "Existing Facilities"; and,
- Adopt Planning Commission Resolution No. 2013-P15 approving Conditional Use Permits CUP12-00038 with findings and conditions of approval attached herein.

PREPARED BY:

  
Sally Schiffman  
Project Planner

SUBMITTED BY:

  
Marisa Lundstedt  
City Planner

ML/SS/fil

Attachments:

1. Plans dated February 14, 2013
2. Planning Commission Resolution No. 2013-P15
3. Signal Coverage Maps







PROJECT INCORPORATION:  
 NETWORK: VISION HARBOR LAUNCH  
 A-CLIP2-00038  
**NEXTEL SYNERGY**  
**(CA7405 GRAY OAKS)**  
 SD64XC009  
 3910 VISTA WAY  
 OCEANSIDE, CA 92056  
 SAN DIEGO COUNTY

ISSUE DATE:  
 02/14/13

ISSUED FOR:  
 ZONING

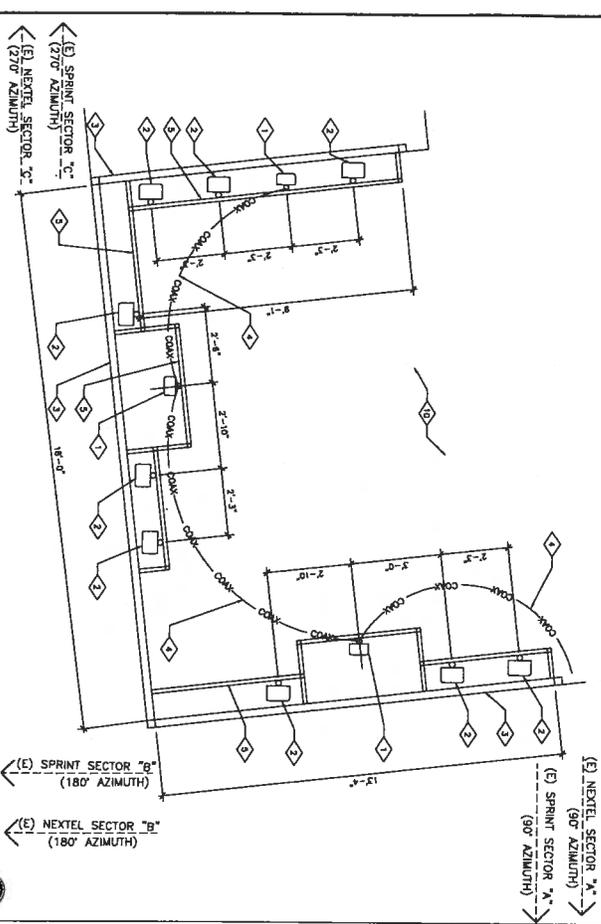
REV.	DATE	DESCRIPTION	BY/CHK
A	07/10/12	ISSUED FOR RFP 003	CPC
B	08/20/12	ISSUED FOR RFP 003	BMC
C	10/24/12	REVISED PER ZONING COMMENTS	BMC
D	02/14/13	REVISED PER ZONING COMMENTS	BMC

NOT FOR CONSTRUCTION. USE ONLY FOR CONSTRUCTION SET

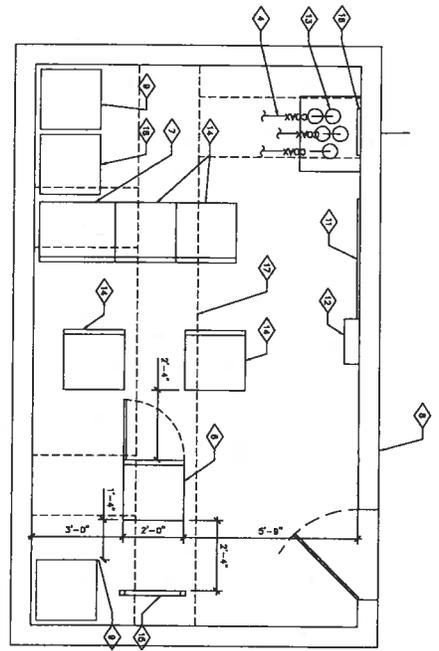
SHEET TITLE EXISTING EQUIPMENT AND ANTENNA PLAN	
SHEET NUMBER A-2	REVISION D
SHEET NUMBER A-2	
224295	

- 18 EXISTING SPRINT ROOF ANTENNAS TO BE REMOVED (3 TOTAL, 1 PER SECTOR) (9 TOTAL, 3 PER SECTOR)
- 17 EXISTING NEXTEL ROOF ANTENNAS TO REMAIN
- 16 EXISTING SPRINT COAXIAL ANTENNA CABLES LOCATED TO EXISTING FLOORPLANT TO BE REMOVED (77')
- 15 EXISTING ANTENNA STEEL FRAME TO REMAIN.
- 14 EXISTING SPRINT WOODEN 4.0 TO BE REMOVED.
- 13 EXISTING SPRINT POWER/BATTERY CABINET TO REMAIN.
- 12 EXISTING SPRINT EQUIPMENT SHELTER
- 11 EXISTING HVAC UNITS (TYP. 2)
- 10 EXISTING BUILDING ROOFTOP
- 9 EXISTING TELCO BOARD
- 8 EXISTING PANELBOARD
- 7 EXISTING 8" PVC CONDUIT ROUTE FOR COAX CABLES
- 6 EXISTING NEXTEL ROOF EQUIPMENT RACK (TYP. 4)
- 5 EXISTING ROOF LADDER
- 4 EXISTING GROUND BAR
- 3 EXISTING CABLE LADDER (TYP.)
- 2 EXISTING BATTERY RACK

NOT USED 3 KEYED NOTES



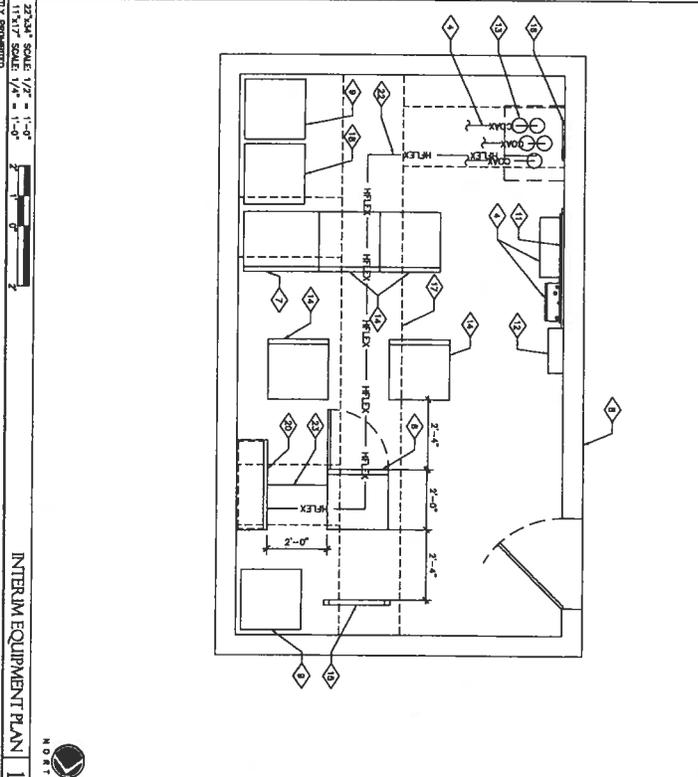
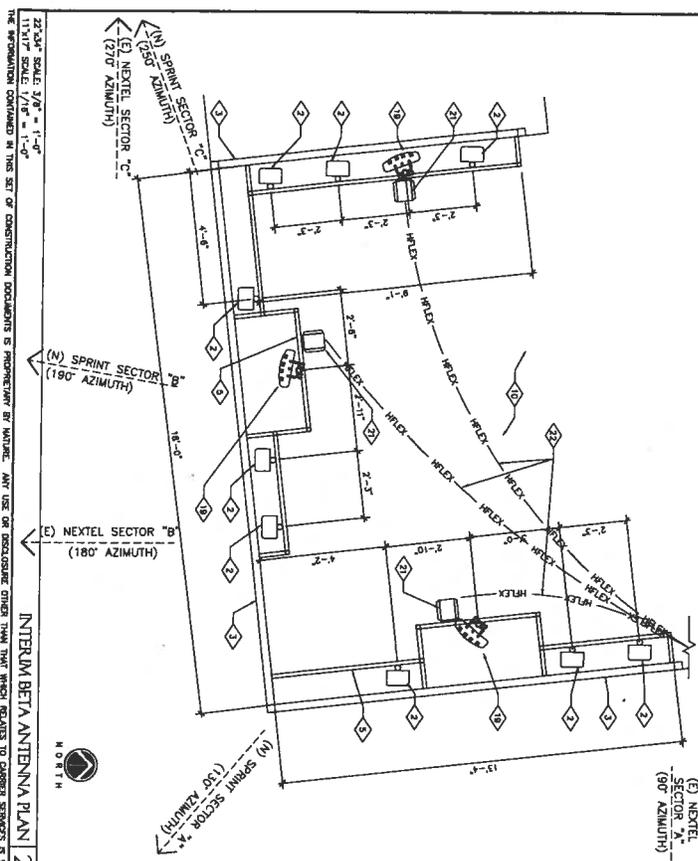
22'x34' SCALE 3/8" = 1'-0"  
 11'x17' SCALE 1/8" = 1'-0"  
 THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CURRENT SERVICES IS STRICTLY PROHIBITED.



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SECTOR	SECTOR A	SECTOR B	SECTOR C	SECTOR D	SECTOR E	SECTOR F	SECTOR G	SECTOR H	SECTOR I	SECTOR J	SECTOR K	SECTOR L	SECTOR M	SECTOR N	SECTOR O	SECTOR P	SECTOR Q	SECTOR R	SECTOR S	SECTOR T	SECTOR U	SECTOR V	SECTOR W	SECTOR X	SECTOR Y	SECTOR Z
100MHz	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'	100'
Model																										
FRP Length																										

NOTE:  
GENERAL CONTRACTOR TO INSTALL THE NEW NV ANTENNA AS CLOSE TO THE FRP AS POSSIBLE



- KEYED NOTES
- 1 NOT USED
  - 2 EXISTING 1800 BATTERY CABINET TO REMAIN
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PROJECT INFORMATION:

NETWORK VISION WAREHOUSE

ACU1P12-00038

NEXTEL SYNERGY

(CA7405 GRAY OAKS)

SD64XC009

3910 US7A WAY

OCEANSIDE, CA 92066

SAN DIEGO COUNTY

ISSUE DATE: 02/14/13

ISSUED FOR: ZONING

REVISIONS:

REV.	DATE	DESCRIPTION	BY
A	07/19/12	ISSUED FOR BOX 075	CHG
B	04/20/12	ISSUED FOR BOX 075	BWG
C	10/24/12	REVISED PER ZONING COMMENTS	BWG
D	02/14/13	REVISED PER ZONING COMMENTS	BWG

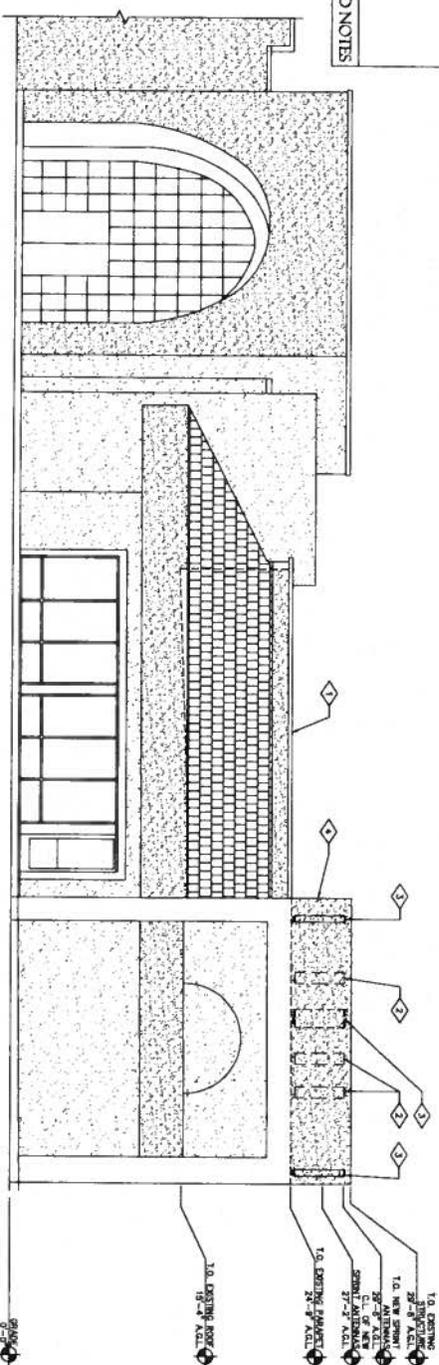
SHEET NUMBER: A-3

REVISION: D

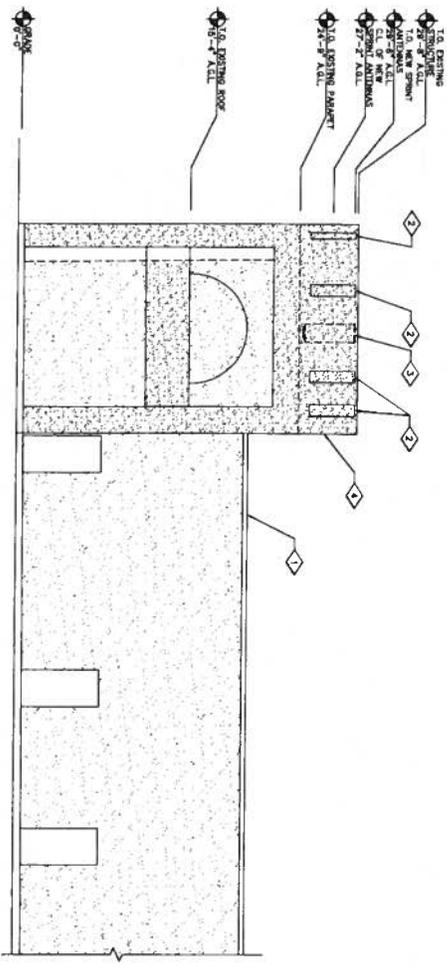
224295

- 1. EXISTING BUILDING
- 2. EXISTING SIGN PANEL, ANTENNAS TO REMAIN (S TOTAL, (3) PER SECTION)
- 3. NEW SIGNANT (80% MATCHING 1/4" RIBS) MOUNTED ON EXISTING SIGN PANEL (S TOTAL, (3) PER SECTION)
- 4. EXISTING SIGNANT OF SCREEN STRUCTURE.

KEYED NOTES



PROPOSED SOUTH ELEVATION | 2



PROPOSED EAST ELEVATION | 1

27'x36" SCALE 3/16" = 1'-0"  
 11'x17" SCALE 3/32" = 1'-0"  
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PROJECT INSPIRATION  
 NETWORK VISION MARKET MARCH  
 A/CIP/2-00038  
**NEXTEL SYNERGY**  
 (CA7405 GRAY OAKS)  
 SD64XC009  
 3910 VISTA WAY  
 OCCASIDE, CA 92026  
 SAN DIEGO COUNTY

ISSUE DATE  
 02/14/13

ISSUED FOR:  
 ZONING

REV.	DATE	DESCRIPTION	BY
A	01/10/12	ISSUED FOR PERMITS	CHC
B	01/20/12	ISSUED FOR PERMITS	CHC
C	01/24/12	REVISED PER ZONING COMMENTS	CHC
D	02/14/13	REVISED PER ZONING COMMENTS	CHC

DATE FOR CONSTRUCTION PERMITS  
 VALIDITY OF CONSTRUCTION SET

SHEET NUMBER: **A-4**

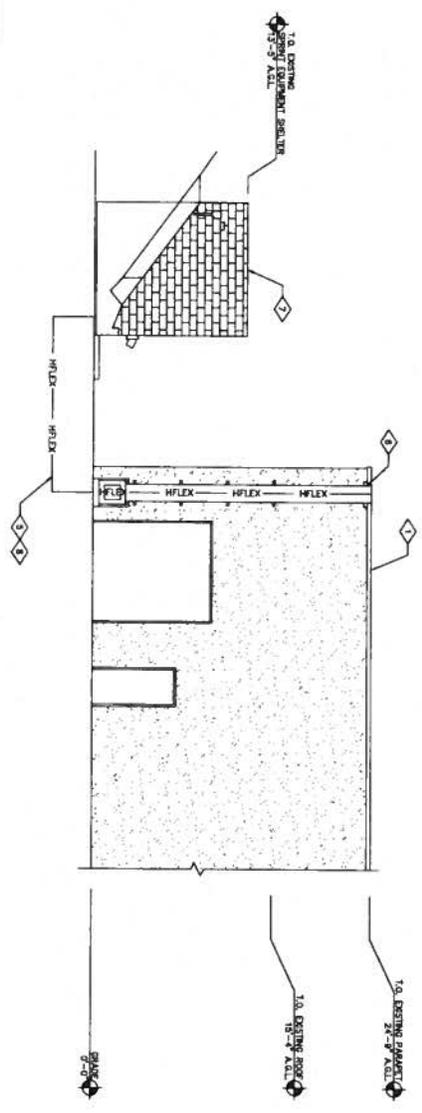
REVISION: **D**

SHEET TITLE: **PROPOSED SOUTH & EAST ELEVATIONS**

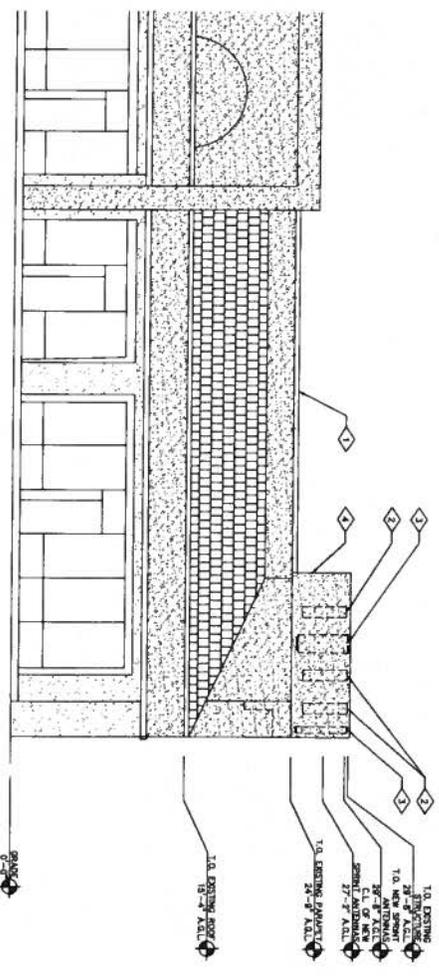
DATE: **2/24/2015**

- 1. EXISTING BUILDING
- 2. EXISTING DOWN PANEL ANTENNAS TO REMAIN (8 TOTAL, (2) FOR SECTION)
- 3. NEW SPRINT 1800 ANTENNAS W/ BRVS MOUNTED ON EXISTING ANTENNA FRAMES (3 TOTAL, 1 FOR SECTION)
- 4. EXISTING SPRINT 1800 SPOON STRUCTURE
- 5. NEW SPRINT 1800 SPOON STRUCTURE
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- 100. EXISTING SPRINT 1800 SPOON STRUCTURE

KEYED NOTES



PROPOSED NORTH ELEVATION | 2



PROPOSED WEST ELEVATION | 1

22'x36' SCALE 3/16" = 1'-0"  
 11'x17' SCALE 3/32" = 1'-0"  
 THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY AND CONFIDENTIAL. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CURRENT SERVICES IS STRICTLY PROHIBITED.



PROJECT INFORMATION  
 NETWORK VISION PARTNERSHIP  
 ACUPP-00038  
 NEXTEL SYNERGY  
 (CA7405 GRAY OAKS)  
 SD64XC009  
 3910 VISTA WAY  
 OCCASIDE, CA 92056  
 SAN DIEGO COUNTY

ISSUE DATE: 02/14/13  
 ISSUED FOR: ZONING

REV.	DATE	REVISIONS	INITIALS
A	07/19/12	ISSUED FOR PERMITS	CHG
B	09/26/12	ISSUED FOR PERMITS	CHG
C	10/24/12	REVISED PER ZONING COMMENTS	CHG
D	02/14/13	REVISED PER ZONING COMMENTS	CHG

NOT FOR CONSTRUCTION UNLESS  
 SPECIFICALLY NOTED OTHERWISE

SHEET NUMBER: A-5  
 SHEET TITLE: PROPOSED NORTH & WEST ELEVATIONS  
 DRAWING NUMBER: 224295



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PLANNING COMMISSION  
RESOLUTION NO. 2013-P15

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
CONDITIONAL USE PERMIT FOR CERTAIN REAL  
PROPERTY IN THE CITY OF OCEANSIDE

---

APPLICATION NO: CUP12-00038  
APPLICANT: Sprint/Nextel c/o Alcatel Lucent  
LOCATION: 3910 West Vista Way

---

THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES  
RESOLVE AS FOLLOWS:

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Conditional Use Permit under the provisions of Articles 39 and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

equipment upgrades necessary to accommodate fourth generation (4G) wireless technologies as described in the Description and Justification and shown on plans dated February 14, 2013 and the operation of a wireless communications facility on an existing a commercial building;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 25<sup>th</sup> day of March, 2013 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15301 Existing Facilities;

WHEREAS, the documents or other material which constitutes the record of proceedings upon which the decision is based will be maintained by the City of Oceanside Planning Division, 300 North Coast Highway, Oceanside, California 92054.

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10 days from the date of its adoption in the absence of the filing of an appeal or call for review;

1           WHEREAS, studies and investigations made by this Commission and in its behalf reveal  
2 the following facts:

3 **FINDINGS:**

4 **For the Conditional Use Permit (CUP12-00038):**

- 5 1.       The placement, construction, or modification of the wireless communications facility in the  
6 proposed location is necessary for the provision of wireless services to City residents,  
7 businesses, and their owners, customers, guests or other persons traveling in or about the  
8 city. The upgraded equipment will accommodate necessary fourth generation (4G)  
9 wireless technologies and facilitate the continued operation of a wireless communications  
10 facility on an existing commercial building.
- 11 2.       The proposal demonstrates a reasonable attempt to minimize stand-alone facilities, is  
12 designed to protect the visual quality of the City, and will not have an undue adverse  
13 impact on historic resources, scenic views, or other natural or man-made resources. The  
14 project site is located in a developed area on the roof of an existing commercial retail  
15 building. The proposed antenna upgrades would be completely concealed from public  
16 view behind a rooftop parapet screen wall.
- 17 3.       Alternative site locations were not analyzed as the proposed project is intended to allow for  
18 equipment upgrades and continued operation of an existing wireless communications  
19 facility. However, coverage maps were provided by the applicant demonstrating the need  
20 to maintain the existing facility on the service grid.
- 21 4.       All applicable requirements and standards of Article 39 will be met by the proposed project  
22 either as designed or as implemented in accordance with the Conditions of Approval.

23       NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
24 approve Conditional Use Permit (CUP12-00038) subject to the following conditions:

25 **Building:**

- 26 1.       Applicable Building Codes and Ordinances shall be based on the date of submittal for  
27 Building Division plan check.
- 28 2.       The granting of approval under this action shall in no way relieve the applicant/project  
29 from compliance with all State and Local building codes.

- 1 3. The building plans for this project are required by State law to be prepared by a licensed  
2 architect or engineer and must be in compliance with this requirement prior to submittal  
3 for building plan review.
- 4 4. Site development, parking, access into buildings and building interiors shall comply with  
5 the State's Disabled Accessibility Regulations. (2010 CBC Chapter 11B).
- 6 5. A separate/unique address shall be required to facilitate utility releases. Verification that  
7 the address has been properly assigned by the City's Planning Division must accompany  
8 the Building Permit application.
- 9 6. The developer shall monitor, supervise and control all building construction and supporting  
10 activities so as to prevent these activities from causing a public nuisance, including, but not  
11 limited to, strict adherence to the following:
- 12 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
13 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work  
14 that is not inherently noise-producing. Examples of work not permitted on  
15 Saturday are concrete and grout pours, roof nailing and activities of similar noise-  
16 producing nature. No work shall be permitted on Sundays and Federal Holidays  
17 (New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day,  
18 Christmas Day) except as allowed for emergency work under the provisions of the  
19 Oceanside City Code Chapter 38 (Noise Ordinance).
- 20 b) The construction site shall be kept reasonably free of construction debris as  
21 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
22 approved solid waste containers shall be considered compliance with this  
23 requirement. Small amounts of construction debris may be stored on-site in a neat,  
24 safe manner for short periods of time pending disposal.

24 **Fire:**

- 25 7. The quantity of lead acid batteries and their electrolyte volume(s) shall be indicated on  
26 the construction plans.
- 27 8. Stationary Storage Battery Systems having an electrolyte capacity of more than 50  
28 gallons for flooded lead acid, nickel cadmium and valve regulated lead acid, or 1,000  
29 pounds for lithium-ion, used for facility standby power, emergency power or

1           uninterrupted power supplies shall comply with Section 608 of the California Fire Code  
2           current edition, and Table 608.1. If the quantity of electrolyte solution is 10 gallons or  
3           greater, visible hazard identification signs, as specified in NFPA 704, shall be placed at  
4           the entrance to the battery storage room.

5           9.     Prior to activation, the facility shall have a final inspection by the Fire Department.

6           **Planning:**

7           10.    The Conditional Use Permit is granted for the following: equipment upgrades necessary to  
8           accommodate fourth generation wireless technologies (4G) and the continued operation of  
9           a wireless communications facility. Specific upgrades consist of the following: removal of  
10          three (3) existing antennas and the installation of three (3) new antennas divided into three  
11          (3) sectors behind the existing rooftop parapet screen wall of a commercial building; nine  
12          (9) additional existing antennas will remain with no proposed modifications; installation of  
13          three (3) remote radio units (RRU's), one (1) fiber junction box, three (3) hybrid fiber  
14          optic cables, and fiber backhaul service; removal of the existing Sprint Coaxial cables;  
15          replacement of an existing GPS antenna; and upgrades to an existing modcell cabinet. Any  
16          substantial change in the use or expansion of the wireless communications facility beyond  
17          that which is approved by the Planning Commission, shall require a revision to the  
18          Conditional Use Permit or new Conditional Use Permit.

19          11.    Conditional Use Permit (CUP12-00038) shall expire March 25, 2015 unless the applicant  
20          has obtained a Building Permit and has requested an initial building inspection.

21          12.    Entitlements granted for Conditional Use Permit (CUP12-00038) and approved by this  
22          resolution, shall be valid until July 29, 2017.

23          13.    Unless expressly waived, all current zoning standards and City ordinances and policies in  
24          effect at the time of building permit issuance shall be met by this project. The approval of  
25          this project constitutes the applicant's agreement with all statements in the project  
26          Description and Justification and other materials and information submitted with this  
27          application, unless specifically waived by an adopted condition of approval.

28          14.    The wireless communications facility permitted by this Resolution shall be erected,  
29          operated and maintained in compliance with Article 39.

- 1 15. The installation of the wireless communications facility shall be in compliance with all  
2 applicable provisions of the State Building Standards Code and any applicable local  
3 amendments thereto.
- 4 16. No wireless communications facility may, by itself or in conjunction with other wireless  
5 communications facilities generate radio frequency (RF) emissions in excess of the  
6 standards for permissible human exposure, as provided by applicable federal regulations  
7 including 47 C.F.R. 1.1307 *et seq.*
- 8 17. Upon or prior to installation, and prior to activation, of the wireless communications  
9 facility, the applicant shall submit to the City certification in a form acceptable to the City  
10 that the facility will operate in compliance with all applicable Federal Communications  
11 Commission (FCC) regulations including, but not limited to RF emission limitations.  
12 Thereafter, upon any proposed increase of a least ten (10) percent in the effective radiated  
13 power or any proposed change in frequency use, the applicant shall submit updated  
14 certifications for review by the City. Both the initial and update certifications shall be  
15 subject to review and approval by the City Planner. At the City's sole discretion, a  
16 qualified independent RF engineer, selected by and under contract to the City, may be  
17 retained to review said certifications for compliance with FCC regulations. All costs  
18 associated with the City's review of these certifications shall be the responsibility of the  
19 applicant.
- 20 18. Within thirty (30) calendar days following the installation of this wireless  
21 communications facility, the applicant shall provide FCC documentation to the City  
22 Planner indicating that the unit has been inspected and tested in compliance with FCC  
23 standards. Such documentation shall include the make and model (or other identifying  
24 information) of the unit tested, the date and time of the inspection, the methodology used  
25 to make the determination, the name and title of the person(s) conducting the tests, and a  
26 certification that the unit is properly installed and working within applicable FCC  
27 standards.
- 28 19. The applicant shall maintain the most current information from the FCC regarding the  
29 allowable RF emissions and all other applicable regulations and standards. The applicant  
shall file an annual report to the permit file advising the City of any regulatory changes that

1 require modifications to the wireless communications facility and of the measures taken by  
2 the applicant to comply with such regulatory changes.

3 20. Absent any modifications to the wireless communications facility that would cause a  
4 change to the effective radiated power or frequency use, the applicant shall submit an  
5 annual letter to the City Planner certifying that no such changes have been made to the site  
6 and that the facility continues to operate within the range allowed by FCC regulations.

7 21. Any substantial change in the type of antenna and/or facility installed in a particular  
8 location shall require the prior approval of the City Planner or his designee. Failure to  
9 obtain the prior approval of the City Planner or his designee may be grounds for  
10 institution of revocation proceedings as well as grounds to institute any other  
11 enforcement action available under federal, state, or local law.

12 22. Public access to the wireless communications facility shall be restricted. Required security  
13 measures shall include posting of blue notice signs at rooftop access points.

14 23. All required and proposed signage shall be shown on approved building plans.

15 24. The permittee(s) shall exercise a good-faith effort to incorporate the best available  
16 equipment technology to effect a reduction in the visual presence of the approved antennas  
17 and equipment. Any modifications requested to this facility shall permit the City Planner  
18 or his designee to review the existing facility to determine whether requiring new  
19 equipment or applying new screening techniques that reduce visual impacts is appropriate,  
20 if technically feasible. Upon the City's request and discretion, the permittee(s) shall be  
21 required to provide an independently prepared technical analysis demonstrating compliance  
22 with this condition. The permittee(s) inability to demonstrate the use of current  
23 technologies may be grounds for the institution of revocation proceedings of the  
24 Conditional Use Permit.

25 25. Co-location of wireless communications facilities pursuant to Article 39 shall be  
26 required whenever feasible. The permittee(s) shall exercise a good-faith effort to  
27 cooperate with other communication providers and services in the operation of a  
28 multiple-provider facility, provided such shared usage does not impair the operation of  
29 the approved facility. Upon the City's request and discretion, the permittee(s) shall  
provide an independently prepared technical analysis to substantiate the existence of any

1 technical prohibitions against the operation of a co-use facility. The permittee(s)' non-  
2 compliance with this requirement may be grounds for the institution of revocation  
3 proceedings of the Conditional Use Permit.

4 26. A Maintenance and Facility Removal Agreement shall be executed by the operator and  
5 the property owner prior to the issuance of building permits. No permit shall become  
6 effective until such agreement has been executed. Said agreement shall bind the operator  
7 and property owner and their successors and assigns to the facility to the following:

- 8 a) Maintain the facility in good condition, which shall include but not be limited to  
9 regular cleaning, painting, and general upkeep and maintenance of the site;
- 10 b) Remove the facility when required by Article 39 or by any condition of approval,  
11 or when it is determined that the facility will not have been used during any  
12 current consecutive six (6) month period, or if the facility will be abandoned;
- 13 c) Pay all costs the City reasonably incurs to monitor a facility's compliance with  
14 conditions of approval and applicable law;
- 15 d) Reimburse the City for any and all costs incurred for work required by Article  
16 39, applicable law, or the conditions of a permit issued by the City for the facility  
17 which the operator and property owner fail to perform within 30 days after  
18 written notice from the City to do so or sooner if required by the City for good  
19 cause;
- 20 e) Where the City Planner or Planning Commission or City Council, as the case  
21 may be, determines that it is necessary to ensure compliance with the conditions  
22 of approval or otherwise provide for removal of the facility that is temporary in  
23 nature or upon its disuse, the operator or owner may be required to post a  
24 performance bond, cash or a letter of credit or other security acceptable to the  
25 City Planner in the amount of ten thousand dollars (\$10,000), or such higher  
26 amount as the City Planner reasonably determines is necessary to ensure  
27 compliance with the maintenance and facility removal agreement.

28 27. The wireless communications facility shall include signage approved by the City Planner  
29 identifying the name and phone number of a party to contact in the event of an emergency.

1 Such signage must comply with any applicable provisions of Article 39 and Article 33  
2 (sign ordinance).

3 28. Wireless communications facilities and the sites on which they are located shall be  
4 maintained in good repair, free from trash, debris, litter and graffiti and other forms of  
5 vandalism. Any damage from any cause shall be corrected within five (5) days of written  
6 notice by the City. Graffiti shall be removed as soon as practicable, and in no event longer  
7 than 48 hours after notice by the City.

8 29. The wireless communications facility shall be operated to minimize noise impacts to  
9 surrounding residents and persons using nearby facilities and recreation areas. All  
10 equipment that may emit noise in excess of the levels permitted by Article 38 of the City  
11 Municipal Code (noise ordinance) shall be enclosed. Backup generators shall only be used  
12 during periods of power outages or for testing.

13 30. Temporary power may be allowed during the initial construction or major repair of a  
14 facility for the minimal amount of time necessary to complete the work. The operator shall  
15 provide a timeline to the City Planner and keep staff updated as to the time of completion.

16 31. The wireless communications facility is to be installed and maintained in compliance with  
17 the requirements of the Uniform Building Code, National Electrical Code, noise ordinance,  
18 and other applicable codes, as well as other restrictions specified in Article 39.

19 32. This Conditional Use Permit may be revised in accordance with the provisions of the  
20 Zoning Ordinance. Any application for a revision to Conditional Use Permit (CUP12-  
21 00038) shall be evaluated against the existing land use policies and any site area and  
22 neighborhood changes.

23 33. The Conditional Use Permit may be called for review by the Planning Commission if  
24 complaints are filed and verified as valid by the City Planner or Code Enforcement Officer  
25 concerning the violation of any of the approved conditions or the project assumptions  
26 demonstrated under the application approval.

27 34. All costs reasonably incurred by the City in verifying compliance and in extending or  
28 revoking an approval shall be borne by the applicant and/or permit holder.  
29

- 1 35. Failure to meet any conditions of approval for this development shall constitute a violation  
2 of this Conditional Use Permit. Conditional Use Permit (CUP12-00038) may be revoked  
3 pursuant to Article 47 of the Zoning Ordinance.
- 4 36. If the operator of this facility intends to abandon or discontinue the use of this facility, the  
5 City shall be notified of such intention no less than sixty (60) days prior to the final day of  
6 use.
- 7 37. If the use of this facility is discontinued, it shall be considered abandoned ninety (90) days  
8 following the final day or use.
- 9 38. All abandoned facilities shall be physically removed by the operator no more than ninety  
10 (90) days following the final day of use or of determination that the facility has been  
11 abandoned, whichever occurs first. When a wireless communications facility has been  
12 abandoned, but not removed, the City may cause such facilities to be removed and charge  
13 all expenses incurred in such removal to the provider.
- 14 39. The approved facility shall be subject to, and governed by, any and all licensing authority  
15 by any governmental agency having jurisdiction. The City's local approval of a  
16 communication facility shall not exempt the permittee(s) from any such pre-emptive  
17 regulations.
- 18 40. Prior to the transfer of ownership and/or operation of the use, the owner and/or operator  
19 shall provide a written copy of the application, staff report, and resolution for the project to  
20 the new owner and/or operator. This notification requirement shall run with the life of the  
21 project.

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1 41. A covenant or other recordable document approved by the City Attorney shall be prepared  
2 by the applicant and recorded prior to the issuance of building permits. The covenant shall  
3 provide that the property is subject to this resolution, and shall generally list the conditions  
4 of approval.

5 PASSED AND ADOPTED Resolution No. 2013-P15 on March 25, 2013 by the  
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

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14 Tom Rosales, Chairman  
Oceanside Planning Commission

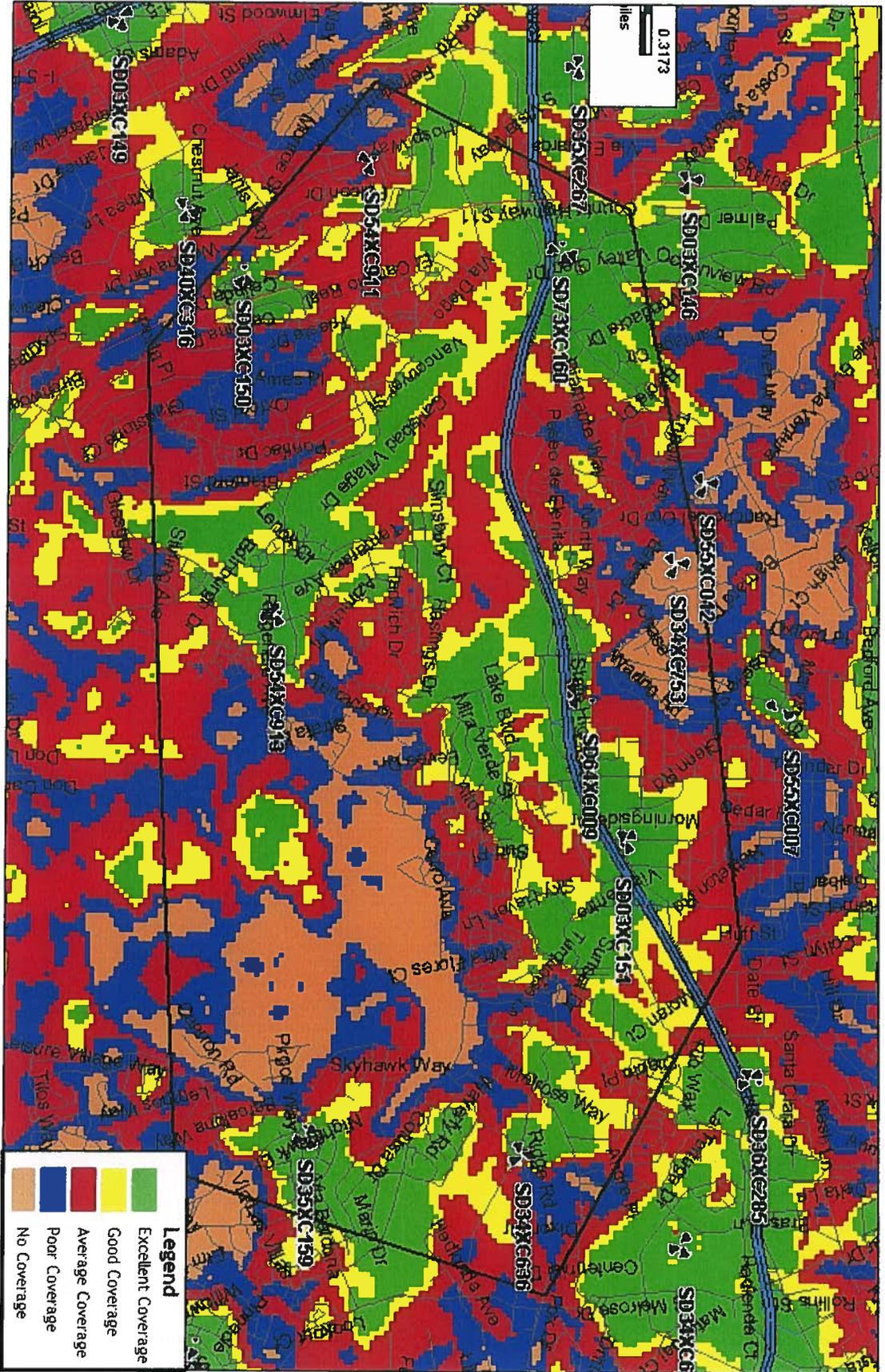
15 ATTEST:

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18 Marisa Lundstedt, Secretary

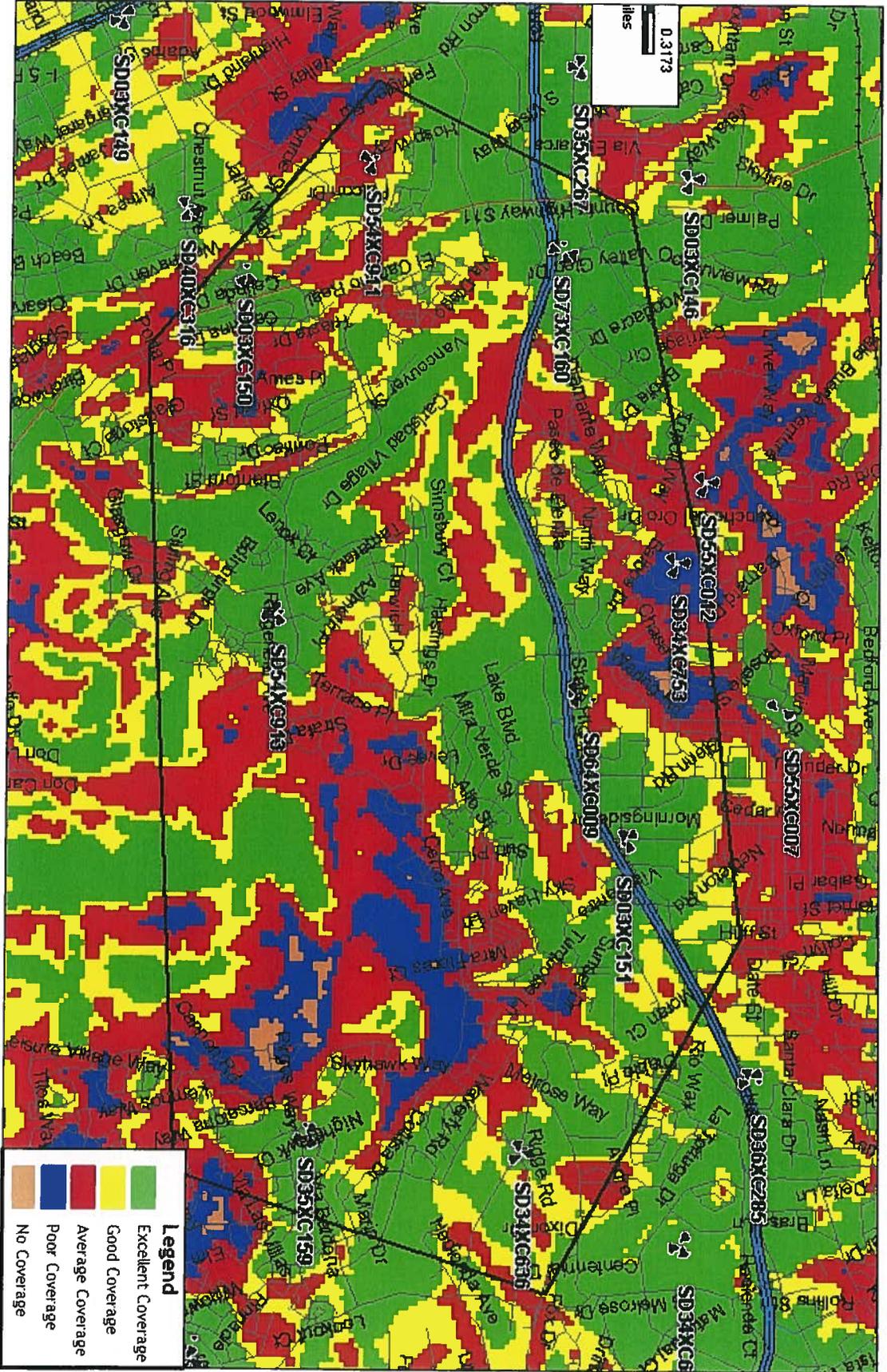
19 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify  
20 that this is a true and correct copy of Resolution No. 2013-P15.

21 Dated: March 25, 2013  
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SD64XC009 Coverage with neighboring sites : Current Design



# SD64XC009 Coverage with neighboring sites : Proposed Configuration



0012-00038

CUP12-00038



**Application for Discretionary Permit**

Development Services Department / Planning Division  
 (760) 435-3520  
 Oceanside Civic Center 300 North Coast Highway  
 Oceanside, California 92054-2885

**STAFF USE ONLY**

ACCEPTED  
**RECEIVED**  
 8/30/NOV 26 2012  
 CITY OF OCEANSIDE  
 DEVELOPMENT SERVICES

BY

**Please Print or Type All Information**

HEARING

**PART I – APPLICANT INFORMATION**

1. APPLICANT Sprint Nextel c/o Alcatel Lucent	2. STATUS
3. ADDRESS 9605 Scranton Road, #400 San Diego, CA 92121	4. PHONE/FAX/E-mail 619-417-6295
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Sure Site, ED Gala, Agent	
6. ADDRESS 20612 Kelvin Lane Huntington Beach, CA 92646	7. PHONE/FAX/E-mail 714.404.4237

GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	
DEV. PL.	
C.U.P.	CUP12-00038
VARIANCE	
COASTAL	
O.H.P.A.C.	

**PART II – PROPERTY DESCRIPTION**

8. LOCATION 3910 Vista Way		
10. GENERAL PLAN CC	11. ZONING CC	12. LAND USE Commercial
14. LATITUDE 33 11'3.012"		15. LONGITUDE 117 17'38.004"

9. SIZE 500 sq.ft.
13. ASSESSOR'S PARCEL NUMBER 166-010-45

**PART III – PROJECT DESCRIPTION**

16. GENERAL PROJECT DESCRIPTION  
 Request for Administrative Use Permit for existing wireless base station. Also, modernization of the existing base station including replacing existing antennas, add RRHs and replacement of existing equipment cabinet.

17. PROPOSED GENERAL PLAN same	18. PROPOSED ZONING same	19. PROPOSED LAND USE same	20. NO. UNITS N/A	21. DENSITY N/A
22. BUILDING SIZE N/A	23. PARKING SPACES no change	24. % LANDSCAPE no change	25. % LOT COVERAGE or FAR N/A	

**PART IV – ATTACHMENTS**

X	26. DESCRIPTION/JUSTIFICATION	X	27. LEGAL DESCRIPTION	X	28. TITLE REPORT
X	29. NOTIFICATION MAP & LABELS	X	30. ENVIRONMENTAL INFO FORM	X	31. PLOT PLANS
X	32. FLOOR PLANS AND ELEVATIONS		33. CERTIFICATION OF POSTING	X	34. OTHER (See attachment for required reports)

**PART V – SIGNATURES**

SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print): <b>Ed Gala</b>	36. DATE	37. OWNER (Print): <b>see LOA</b>	38. DATE
Sign: <b>see original</b>		Sign:	

• I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.  
 • I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.



Authorized Agent for **Sprint Nextel and Alcatel Lucent**

~~CUP12-00012~~ **CUP12-00038**

Sprint Nextel Project Number: SD64XC009

Sprint Nextel Project Name: Gray Oaks

**City of Oceanside**  
**Conditional Use Permit Application**  
*Project Information and Justification*

Sprint Nextel is requesting approval of a conditional use permit application to allow the maintenance, upgrading and continued operation of an unmanned wireless telecommunications facility on property already authorized for wireless telecommunication use in the City of Oceanside and presents the following project information for your consideration.

**Project Location**

Address: 3910 Vista Way, Oceanside, CA 92056

APN: 166-010-38

Zoning: CL

45  
CC

RECEIVED  
NOV 26 2012  
CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

**Project Representative**

Name: SureSite Consulting Group, LLC

Address: 20612 Kelvin Lane, Huntington Beach, CA 92646

Contact Information: Ed Gala, 714-709-1523, [e.gala@sure-site.com](mailto:e.gala@sure-site.com)

**Sprint Contact**

Name: Steve Layman

Alcatel Lucent

9605 Scranton Road, Suite 400, San Diego, CA 92121

(619) 417-6295

[steve.layman@alcatel-lucent.com](mailto:steve.layman@alcatel-lucent.com)

**Project Description**

3

Proposed is the removal of three existing panel antennas mounted behind existing screen walls on the roof of a one story retail center and the reinstallation of one new 4G antenna per sector and the placement of one RRU unit behind each antenna. Nine existing Nextel IDEN antennas will remain on site unchanged. Plans indicate an interim antenna plan. It is anticipated that the Nextel antennas will ultimately be decommissioned at some future undetermined date which has not be finalized at this time. One existing radio equipment cabinet will be retrofitted with the new 4G radios. There will be no net increase in the number of antennas already authorized for this site by ACUP-4-01. The following is a summary of the proposed project improvements: remove three existing Sprint panel antennas, install three new 4G antennas, modify an existing

modcell cabinet, install one new fiber junction box, install one new RRH unit per sector, install fiber backhaul service, remove all existing Sprint Coaxial cables, install three new hybridflex fiber optic cables, remove and replace existing Sprint GPS antenna.

### **Project Objectives**

The proposed site maintenance and technology upgrade is intended to provide the residents of Oceanside who are served by this facility, the latest in wireless technology by improving call quality, data transmission and speed.

### **Alternative Site Analysis**

The following locations were evaluated for possible locations for the facility:

NA. Proposed is the modification and maintenance upgrade to an existing Sprint installation

### **Findings/Burden of Proof**

The project site is located in an established developed area consisting of a mix of residential and commercial land uses. Retail center buildings have proved themselves to be ideal locations for wireless telecommunication facilities because the antenna use can easily be integrated into the operation of the retail center, having no negative impact to the functioning of this land use or surrounding land uses. Wireless telecommunication is now an indispensable part of everyday life and wireless customers expect to be provided nearly flawless radio coverage at all locations and at all times. The subject project will provide improved radio coverage, improved data reception and transmission and improved data download speeds within the surrounding area to the benefit of the general health, safety, welfare and convenience of the public in the vicinity of this facility. The proposed project will reduce the number of antennas currently built on site and as such any visual impact that the existing antennas may have generated will be greatly reduced.

The proposed project is in conformance with all city General Plan goals by furthering the health, safety, welfare and convenience of city residents with the improvement and continued operation of a wireless telecommunication facility in an area of the city currently experiencing diminished wireless service. The proposed project is in conformance with all Federal Communications Commission (FCC) regulations and standards for wireless telecommunication facilities as documented in the attached FCC RF Certification form. All height, site and screening requirements have been met by this project. The installation is emergency 911 compatible with all wireless carriers.

Sprint is authorized and regulated by the Federal Communications Commission (FCC) to operate their wireless systems in the Southern California market area. Transmit power is typically between 100 to 500 watts per antenna sector, transmitting and receiving at a frequency of 1850.0-1865.0, and 1930.0-1945.0 MHz. These levels are well below the safety standards established by the FCC and no health impacts are anticipated with this project in conformance with city goals for telecommunication uses. In addition, Sprint does not oppose co-location on the subject



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building or project site and has left space for additional wireless carriers. This project design will provide mitigation of future wireless development in the area by allowing for the concentration of additional facilities at one location, thereby minimizing the spread of these facilities throughout the community and providing mitigation of the potential visual impact in more view sensitive locations.

The proposed facility will be unmanned requiring approximately one maintenance visit per month and will not have any significant impact to existing roadways and on and off site circulation nor have any impact on the character of existing development in the neighborhood

### **Sprint Nextel Company Information**

Sprint Nextel is one of the fastest growing nationwide service providers offering all digital voice, messaging and high-speed data services to nearly 30 million customers in the United States.

Sprint Nextel is a "telephone corporation", licensed by the Federal Communications Commission (FCC) to operate in the 1850.0 -1865.0, and 1930.0-1945.0 MHz frequencies, and a state-regulated Public Utility subject to the California Public Utilities Commission (CPUC). The CPUC has established that the term "telephone corporation" can be extended to wireless carriers, even though they transmit signals without the use of telephone lines.

Sprint Nextel will continue to operate this facility in full compliance with the regulations and licensing requirements of the FCC, Federal Aviation Administration (FAA) and the CPUC, as governed by the Telecommunications Act of 1996, and subsequent modifications, the Middle Class Tax Relief and Job Creation Act of 2012 (Section 6409) and other applicable laws.

The enclosed application is presented for your consideration. Sprint Nextel requests a favorable determination and approval of a substantial conformance to modify its existing base station. Please contact me with any questions or requests for additional information.

Respectfully submitted,

Edward Gala  
Authorized Agent for Sprint Nextel and  
Alcatel Lucent

**SureSite Consulting Group, LLC**

Corporate Office: 3659 Green Road, Suite 214 \* Cleveland, OH 44122 \* tel 216-593-0400 \* fax 216-593-0401  
Western Region Office: 5955 DeSoto Avenue, Suite 142 \* Woodland Hills, CA 91367

CUP12-00038

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RECORDING REQUESTED BY:  
Chicago Title Company Escrow Division

AND WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENT TO:  
MOOLA LLC, a California limited  
liability company.  
3355 Mission Ave. #111  
Oceanside, Cal. 92054

Order No. 603030793-U16  
Escrow No. 6269-LM  
Parcel No. 166-010-45

10174

DOC # 2006-0753718



OCT 24, 2006 1:20 PM

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 10219.00  
OC: 2  
PAGES: 2  
2006-0753718



SPACE ABOVE THIS LINE FOR RECORDER'S USE

### GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$10,208.00 and CITY S  
xx computed on full value of property conveyed, or  
       computed on full value less liens or encumbrances remaining at the time of sale.  
       unincorporated area: xx Oceanside, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Steve Manolakis and Joanne C. Manolakis, Husband and Wife as Joint Tenants

hereby GRANTS to

MOOLA LLC, a California limited liability company

the following described real property in the County of San Diego, State of California:

PARCEL A:

LOT 2 IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN AT PAGE 14133 OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 27, 1986.

PARCEL B:

A NONEXCLUSIVE RECIPROCAL EASEMENT AND RIGHT AND PRIVILEGE OF USE, INGRESS, EGRESS ROADWAYS, DRIVEWAYS, AISLES, WALKWAYS AND SIDEWALKS AS DESCRIBED IN THAT CERTAIN RECIPROCAL EASEMENT AND OPERATION AGREEMENT RECORDED DECEMBER 27, 1984 AS FILE NO. 84-480425 OF OFFICIAL RECORDS.

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DEVELOPMENT SERVICES



## NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 03/26/2013  
 Removal: 09/26/2013  
 (180 days)

1. **APPLICANT:** Sprint Nextel c/o Alcatel
2. **ADDRESS:** 9605 Scranton Road #400, San Diego, CA 92121
3. **PHONE NUMBER:** (619) 417-6295
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Sally Schifman
6. **PROJECT TITLE:** Sprint @ 3910 Vista Way (CUP12-00038)
7. **DESCRIPTION:** Consideration of a Conditional Use Permit (CUP12-00038) for equipment upgrades necessary to accommodate fourth generation wireless technologies (4G) and the continued operation of an existing, but expired wireless telecommunication facility. The proposed project consists of the removal of three existing antennas and the installation of three new antennas, which would be located behind the existing rooftop parapet screen wall. Nine additional existing antennas are to remain with no proposed modifications at this time. Equipment upgrades would include the installation of: three remote radio units (RRU's), one fiber junction box, three hybriflex fiber optic cables, and fiber backhaul service. Additionally, all of the existing Sprint Coaxial cables would be removed and an existing GPS antenna would be removed and replaced with a new GPS antenna. The existing modcell cabinet would be upgraded to accommodate the new equipment.

**ADMINISTRATIVE DETERMINATION:** Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- The project is categorically exempt, Class 1, Existing Facility (Section 15301); or,
- The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section , <name> ( Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Sally Schifman  
 Sally Schifman, Consulting Assistant

Date: March 26, 2013

cc:  Project file  Counter file  Library  
 Posting:  County Clerk \$50.00 Admin. Fee