



AGENDA NO. 1

STAFF REPORT

OCEANSIDE HISTORIC PRESERVATION ADVISORY COMMISSION

DATE: June 10, 2013

TO: Chairman and Members of OHPAC

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF AN ADMINISTRATIVE CONDITIONAL USE PERMIT (ACUP12-00016) AND A HISTORIC PERMIT (H14-00002) TO UPGRADE AND CONTINUE THE OPERATION OF AN EXISTING WIRELESS COMMUNICATIONS FACILITY LOCATED ON AN EXISTING BUILDING AT 410 SAN LUIS REY ROAD – SPRINT AT 410 SAN LUIS REY ROAD – APPLICANT: SPRINT/NEXTEL C/O ALCATEL-LUCENT**

RECOMMENDATION

Staff recommends that the Oceanside Historic Preservation Advisory Commission (OHPAC) adopt OHPAC Resolution No. 2014-H02 recommending approval of an Administrative Conditional Use Permit (ACUP12-00016) and Historic Permit (H14-00002) to the City Planner for final action.

PROJECT DESCRIPTION AND BACKGROUND

Background: The project site was initially approved for the Sprint wireless communications facility on April 22, 2002 under Administrative Conditional Use Permit (ACUP-10-01). This entitlement included the approval of 12 wall-mounted panel antennas, one GPS antenna, and associated equipment cabinets. On August 13, 2007 an Administrative Conditional Use Permit (ACUP-13-07) was also approved by the City Planner to permit the operations of the existing Sprint facility for an additional five years. The entitlements granted by ACUP-13-07 have expired and a new Administrative Conditional Use Permit is necessary for the continued operations of the facility as a co-location site.

On September 13, 2006 a second wireless facility was approved at this site through an Administrative Conditional Use Permit (ACUP-6-06), which granted Cricket Wireless the ability to operate three panel antennas and associated equipment for the duration of 10 years. The operation of the existing Cricket Wireless facility enables Sprint/Nextel to operate as a co-location facility, thus allowing the approval of an Administrative Conditional Use Permit for continued operation and minor upgrades.

Site Review: The project site is located on the roof of the existing 28,506-square-foot office building at 410 San Luis Rey Road. The building is currently occupied by a religious assembly facility known as the Family Fellowship Church under the approval of Conditional Use Permit (C-8-95).

The property has a General Plan Land Use designation of Special Commercial (SC) and a zoning designation of Special Commercial Limited within a Historic Overlay District (CS-L-H).

Surrounding land uses include multi-family residential condominiums to the north and west, a restaurant to the east, and an auto body repair shop to the south.

Project Description: The project application is comprised of two components: an Administrative Conditional Use Permit and a Historic Permit as described below:

Administrative Conditional Use Permit (ACUP12-00016) represents a request for the following:

A request for an Administrative Conditional Use Permit (ACUP12-00016) and Historic Permit (H14-00002) to allow equipment upgrades and the continued operation of an existing wireless communications facility attached to the rooftop of an existing office building located at 410 San Luis Rey Road. The project involves the removal of three of the existing 12 panel antennas, to allow the replacement of three new 4G antennas with higher technology. One existing radio equipment cabinet will be retrofitted with the new 4G radio units. There would be no net increase in the number of antennas authorized for site. The existing and proposed antennas are mounted behind the existing radio frequency parapet walls at a height of 42.8 feet measured from the existing grade. The location of the new antennas would not extend beyond the height of the parapet walls and would be screened from public view.

Historic Permit (H14-00002) represents a request for the following:

A Historic Permit is required in order to permit the subject requested improvements and continued operations of the existing cellular facility located within the boundaries of the Historic Overlay District pursuant to Section 1707 of the Oceanside Zoning Ordinance.

The project is subject to the following Ordinances and City policies:

1. General Plan
2. Zoning Ordinance
3. State of California Government Code 65850
4. Mission San Luis Rey Historic Area Development Program and Design Guidelines
5. California Environmental Quality Act

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is Special Commercial Limited within the Historic Overlay District (CS-L-H). 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 and continue operating a wireless communications facility in order to provide the residents of Oceanside the latest in wireless technology by improving call quality, and data transmission speeds.

The project site is located on an existing two-story office building. The office building is in a favorable location for wireless communications facilities, due building's height and location within a high coverage area. The camouflage design of the antenna screening would be integrated within the existing building's architecture design and would completely conceal the antennas from public view. Therefore, the Planning Division finds that the proposed project would be consistent with General Plan policies pertaining to the efficient operation and aesthetics of communication systems within the City.

2. Zoning Compliance

The project is subject to Article 39 of the City's Zoning Ordinance, which lists operation and maintenance standards, as well as locational, site development, and safety and monitoring standards for wireless communication facilities.

The proposed facility would be unmanned, requiring approximately one (1) maintenance visit per month. Standard conditions of approval would 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.

Applicable design standards require that wireless communications facilities employ camouflage design techniques in order to minimize visual impacts. The original Administrative Conditional Use Permit (ACUP-10-01) approved the existing 12 antennas attached behind the existing parapet walls, thus concealing the antennas from public view.

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.

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 conditional approval will ensure that technological enhancements, or other analyses of the site, would be accommodated. The existing Sprint/Nextel facility's Conditional Use Permit has expired and has been in operating without a valid Use Permit since August 13, 2012. Therefore, the 10-year limit for the subject Conditional Use Permit shall be retroactive and shall expire on August 13, 2022.

4. Consistency with the Mission SLR Plan

The Mission SLR Plan encourages "visitor-serving uses and facilities" within the Mission SLR Historic Area. While "visitor-serving uses and facilities" are not explicitly defined in the Mission SLR Plan, such operations typically include lodging, specialty retail, dine-in restaurants, commercial recreational facilities, and supportive institutional uses (e.g., museums, interpretive centers). The existing telecommunication facility provides a communication service to the residents and visitors of the City of Oceanside. The existing and proposed Sprint/Nextel facility would be integrated within the existing building design and would employ a camouflage design technique to minimize visual impacts.

Although telecommunication facilities are not typically identified as a visitor-serving use, it is not a prohibited use within the Historic Area. As established above, the telecommunication facility is conditionally permitted within the surrounding CSL-H zoning district. The Sprint facility has been in operation for more than a decade and

provided communication services to the area. The facility has been maintained in good condition with no complaints regarding the operations and appearance. Therefore, staff finds the project consistent with the goals, objectives, and guidelines of the Mission SLR Plan.

DISCUSSION

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

FCC guidelines establish separate maximum permissible exposure (MPE) limits for "general population/uncontrolled exposure" and for "occupational/controlled exposure." The general population/uncontrolled limits set the maximum exposure to which most people may be subjected. People in this group include the general public not associated with the installation and maintenance of the transmitting equipment. Higher exposure limits are permitted under the "occupational/controlled exposure" category, but only for persons who are exposed as a consequence of their employment (e.g., wireless radio engineers, technicians). The MPE limits adopted by the FCC for occupational/controlled and general population/uncontrolled exposure incorporate a substantial margin of safety and have been established to be well below levels generally accepted as having the potential to cause adverse health effects.

The compliance documentation submitted by Sprint indicates that, based on worst-case predictive modeling, there are no areas that exceed MPE limits. At the nearest walking/working surface to the project, the maximum power density generated by the antennas is 8.0 percent of the general population limit (1.6 percent of the occupational limit).

Issue: Compatibility with surrounding land uses

In evaluating the compatibility of the proposed project with the surrounding environment, staff considered the visual impacts of the proposed antennas and ancillary facilities. Staff finds that the proposed project would not have adverse visual impacts on adjacent businesses, roadways, and residences due to the rooftop location of the facility. The facility has been in existence for more than 12 years and no complaints have been filed with the city in regards to visual impacts. Therefore, it has been determined that the 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). Based on that review, staff finds that the proposed project constitutes operations within existing facilities that would not involve expansion beyond what exist on-site at this time, and the project is categorically exempt, Class 1, "Existing Facilities" (Section 15301) (Attachment 3).

RECOMMENDATION

Staff recommends that the Oceanside Historic Preservation Advisory Commission adopt OHPAC Resolution No. 2014-H02 recommending approval of an Administrative Conditional Use Permit (ACUP12-00016) and Historic Permit (H14-00002) to the City Planner for final action.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



Richard Greenbauer
OHPAC Secretary

SN/RG/fil

Attachments:

1. OHPAC Resolution No. 2014-H02
2. Site Plans
3. Site Photos
4. ACUP-13-07 Staff Report dated August 13, 2007
5. Other Attachments (Application page, Description and Justification, Legal Description)

OCEANSIDE HISTORIC PRESERVATION
ADVISORY COMMISSION
RESOLUTION NO. 2014-H02

A RESOLUTION OF THE OCEANSIDE HISTORIC PRESERVATION
ADVISORY COMMISSION OF THE CITY OF OCEANSIDE,
CALIFORNIA RECOMMENDING APPROVAL OF AN
ADMINISTRATIVE CONDITIONAL USE PERMIT AND HISTORIC
PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF
OCEANSIDE

APPLICATION NO: ACUP12-00016 and H14-00002
APPLICANT: Sprint/Nextel Alcatel Lucent LLC
LOCATION: 410 San Luis Rey Road

THE OCEANSIDE HISTORIC PRESERVATION ADVISORY 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 an Administrative Conditional Use Permit, and
Historic Permit under the provisions of Historic Preservation Ordinance (82-41) and Articles
11, 21, 30, 31, 40, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the
following:

to allow equipment upgrades and the continued operation of an existing wireless
communications facility attached to a rooftop of an existing office building located at 410
San Luis Rey Road;

on certain real property described in the project description.

WHEREAS, the Oceanside Historic Preservation Advisory Commission, after giving the
required notice, did on the 10th day of June, 2014, conduct a duly advertised public hearing as
prescribed by law to consider said application.

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

FINDINGS:

1. The placement, construction, or modification of the wireless communications facility in
the proposed location is necessary for the provision of wireless services to City residents,
businesses, and their owners, customers, guests or other persons traveling in or about the

1 city. The upgraded equipment will accommodate necessary fourth generation (4G)
2 wireless technologies and provides for the continued operation of a wireless
3 communications facility.

4 2. The proposal demonstrates a reasonable attempt to minimize stand-alone facilities, is
5 designed to protect the visual quality of the City, and will not have an undue adverse
6 impact on historic resources, scenic views, or other natural or man-made resources. The
7 project site is within a developed commercial office area and separated from residential
8 uses. The proposed equipment upgrades would not decrease the aesthetics of the existing
9 building design and would provide additional screening that would shield the antennas
10 from public view.

11 3. Coverage maps were provided by the applicant demonstrating the need to maintain the
12 subject facility on the service grid as it currently exists. It was clearly shown that
13 requiring the removal of this site would negatively impact signal coverage in the vicinity.
14 The existing facility has not generated community concern and allowing it to remain in its
15 current location is the least visually impactful means of providing continued coverage in
16 the area.

17 4. All applicable requirements and standards of Article 39 will be met by the proposed
18 project either as designed or as implemented in accordance with the Conditions of
19 Approval.

20 NOW, THEREFORE, BE IT RESOLVED that the Oceanside Historic Preservation
21 Advisory Commission does hereby recommend approval of an Administrative Conditional Use
22 Permit (ACUP12-00016), and Historic Permit (H14-00002) subject to the following conditions:

23 1. This Conditional Use Permit and Historic Permit approve only the following: to allow
24 equipment upgrades and the continued operation of an existing wireless communications
25 facility attached to a rooftop of an existing office building located at 410 San Luis Rey
26 Road. The project involves the removal of three of the existing 12 panel antennas, to
27 allow the replacement of three new 4G antennas with higher technology. One existing
28 radio equipment cabinet would be retrofitted with the new 4G radio units. There would
29 be no net increase in the number of antennas authorized for site. The existing and
proposed antennas are mounted behind the existing radio frequency parapet walls at a
height of 42.8-feet measured from the existing grade. The location of the new antennas

1 would not extend beyond the height of the parapet walls and would be screened from
2 public view. Any substantial modification to the Development Plan in the design or
3 layout shall require a revision to the Historic Permit and/or a new Historic Permit.

4 PASSED AND ADOPTED Resolution No. 2014-H02 on June 10, 2014 by the
5 following vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10
11
12 _____
13 Andrew Guatelli, Vice Chair
Oceanside Historic Preservation
Advisory Commission

14 ATTEST:

15
16 _____
17 Richard Greenbauer, Secretary

18 I, RICHARD T. GREENBAUER, Secretary of the Oceanside Historic Preservation Advisory
19 Commission, hereby certify that this is a true and correct copy of Resolution No. 2014-H02.

20 Dated: June 10, 2014
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BATTERY INFORMATION / NOTES:

BATTERY MFG: EAST PEAK MANUFACTURING
 MODEL NO.: 12W-143
 ELECTROLYTE CONTENT PER BATTERY: 2.17 GALLONS
 ELECTROLYTE VAPOR CAPACITATION PER 107 CC (0.7K SLD/DRC 425): CORROSIVE
 NO. OF BATTERIES TO BE INSTALLED: 20 MAX.
 TOTAL ELECTROLYTE CONTAINED ON SITE (2.17 x 20 = 43.4): 43.4 GALLONS MAX.

TABLE 008.1: BATTERY REQUIREMENTS

| REQUIREMENT | NONRECOMBILANT BATTERIES | | RECOMBILANT BATTERIES | | OTHER | |
|----------------------------|---------------------------------------|---|--|--|-----------------------|-----------------------|
| | Flooded Lead Acid Batteries (008.2.1) | Flooded Nickel-Cadmium (NiCd) Batteries | Value Regulated Lead Acid (VRLA) Batteries | Self-sealing, flame-retarding caps (008.2.2) | Lithium-Ion Batteries | Lithium-Ideal Polymer |
| Weight capacity | Required (008.2.1) | Required (008.2.1) | Required (008.2.2) | Required (008.2.2) | No caps | No caps |
| Thermal runaway management | Not required | Not required | Required (008.2) | Required (008.2) | Not required | Required (008.2) |
| Spill control | Required (008.2) | Required (008.2) | Not required | Not required | Not required | Not required |
| Neutralization | Required (008.2) | Required (008.2) | Required (008.2) | Required (008.2) | Not required | Not required |
| Ventilation | Required (008.2.2) | Required (008.2.2) | Required (008.2.2) | Required (008.2.2) | Not required | Not required |
| Seepage | Required (008.1) | Required (008.1) | Required (008.1) | Required (008.1) | Not required | Not required |
| Seismic protection | Required (008.2) | Required (008.2) | Required (008.2) | Required (008.2) | Not required | Not required |
| Smoke detection | Required (008.2) | Required (008.2) | Required (008.2) | Required (008.2) | Not required | Not required |

FIRE DEPARTMENT NOTES:

- A. FIRE DEPARTMENT FINAL INSPECTION REQUIRED. SCHEDULE INSPECTION 2 DAYS IN ADVANCE.
- B. A CFC PERMIT TO OPERATE BATTERY SYSTEM WITH STIMULATORY LEAD-ACID BATTERIES IS NOT REQUIRED FOR THE OPERATIONS ON SITE.
- C. A CFC PERMIT MAY BE REQUIRED FOR THE HAZARDOUS WASTE/MSW ON SITE.
- D. A HAZARDOUS WASTE'S APPROPRIATE SEAL IS REQUIRED FOR ALL DRUMS AND BATTERY STORAGE AREAS. LETTERS MUST BE AT LEAST 1" IN HEIGHT AND IN A COLOR WHICH CONTRASTS TO THE BACKGROUND OF THE SIGN AND LIST THE FOLLOWING:

**CLASS 1 WATER REACTIVE LIQUID
 TOXIC LIQUID
 CORROSIVE LIQUID
 OTHER HEALTH HAZARD LIQUID**

- E. AN APPROVED METHOD TO NEUTRALIZE SPILLED ELECTROLYTE SHALL BE PROVIDED IN THE BATTERY ROOM.
- F. BATTERIES SHALL BE PROVIDED WITH SAFETY VENTING DEVS.
- G. LOCATIONS AND CLASSIFICATIONS OF EXTINGUISHERS SHALL BE IN ACCORDANCE WITH THE OSHA 1910.159 AND 1910.157 AND PLACEMENT IS SUBJECT TO APPROVAL OF THE FIRE CODE INSPECTORS.
- H. STORAGE, DEPOSITION OR USE OF ANY FLAMMABLE AND COMBUSTIBLE LIQUIDS, SOLIDS, GASES, OR OTHER HAZARDOUS MATERIALS SHALL CONFORM WITH APPLICABLE FIRE CODE REGULATIONS.
- I. EXIT DOORS SHALL BE ABLE TO OPEN FROM THE INSIDE WITHOUT THE USE OF KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.
- J. ADDRESS NUMBERS SHALL BE A MINIMUM 6 INCHES HIGH AND PLAINLY VISIBLE FROM ROUTINE BUILDING IS ADDRESSED ON.
- K. REQUIRED SIGNS SHALL INCLUDE LETTERING HEIGHT OF AT LEAST ONE INCH. IN A COLOR THAT CONTRASTS TO THE SIGN BACKGROUND, AND SHALL BE PROMINENTLY DISPLAYED.
- L. REQUIRED SIGNS SHALL INCLUDE, BUT MAY NOT BE LIMITED TO, APPLICABLE TYPES FROM EXAMPLES SHOWN HEREIN (SEE SIGNAGE).

BATTERY INFO & FIRE DEPT. NOTES

- A. AN OPERATIONAL PERMIT IS REQUIRED TO STORE TRANSFORMER OIL. SEE SECTION 008.1 FOR PERMITS. HAZARDOUS MATERIALS IN THE SITE OF THE PROJECT ARE SUBJECT TO THE REGULATIONS OF THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, TITLE 102.5.20 OF THE CFC 2010 EDITION.
- B. STIMULATORY STORAGE BATTERY SYSTEMS HAVING AN ELECTROLYTE CAPACITY OF MORE THAN 50 GALLONS (189 L) FOR FLOODED LEAD-ACID, NICKEL CADMIUM (Ni-Cd) AND VALVE-REGULATED LEAD-ACID (VRLA), OR 1000 POUNDS (454 KG) OF OTHER BATTERY TYPES, SHALL BE STORED IN A FACILITY SEPARATE FROM OTHER POWER EQUIPMENT. UNVENTILATED POWER SUPPLIES SHALL COMPLY WITH CHAPTER 6, SECTION 008.10B.1 OF THE CFC 2010 EDITION.



CAUTION

Report this point to the local health department at this site may exceed FCC rules for human exposure.

For more safety, using as portable and the guidelines for working in radio frequency environments.



NOTICE

Radio frequency fields beyond this point may exceed the FCC general public exposure limit. Obey all posted signs and the guidelines for working in radio frequency environments.



WARNING

Report this point to the local health department at this site may exceed the FCC rules for human exposure.

Failure to obey all posted signs and the guidelines for working in radio frequency environments could result in serious injury.

RF SIGNAGE



DANGER

HAZARDOUS MATERIAL STORAGE AREA



WARNING

THIS FACILITY CONTAINS CORROSIVE LIQUID TOXIC LIQUID CLASS 1 WATER REACTIVE LIQUID

WARNING SIGNAGE



DANGER

LEADED BATTERIES NO SMOKING

IN CASE OF EMERGENCY CALL

1-866-400-6040

PER CALIF. PERMITS

4 SITE IDENTIFICATION SIGNAGE







OCEANSIDE FAMILY FELLOWSHIP

SD73XC150

400 N. EL CAMINO REAL
OCEANSIDE, CA 92057

ISSUED FOR: 100% CD

CURRENT ISSUE DATE: 05-06-13

| NO. | DATE | DESCRIPTION | BY |
|----------|-------------------------------|-------------|----|
| 08-01-12 | ISSUED FOR 90% CD | JG | |
| 10-04-12 | ISSUED FOR 100% CD FOR REVIEW | JG | |
| 10-18-12 | PRELIM CD | JG | |
| 05-06-13 | PLANNING CORRECTIONS | JG | |

LICENSE NO. _____

SHEET NUMBER: T3

REVISION: 2

SIGNAGE AND NOTES

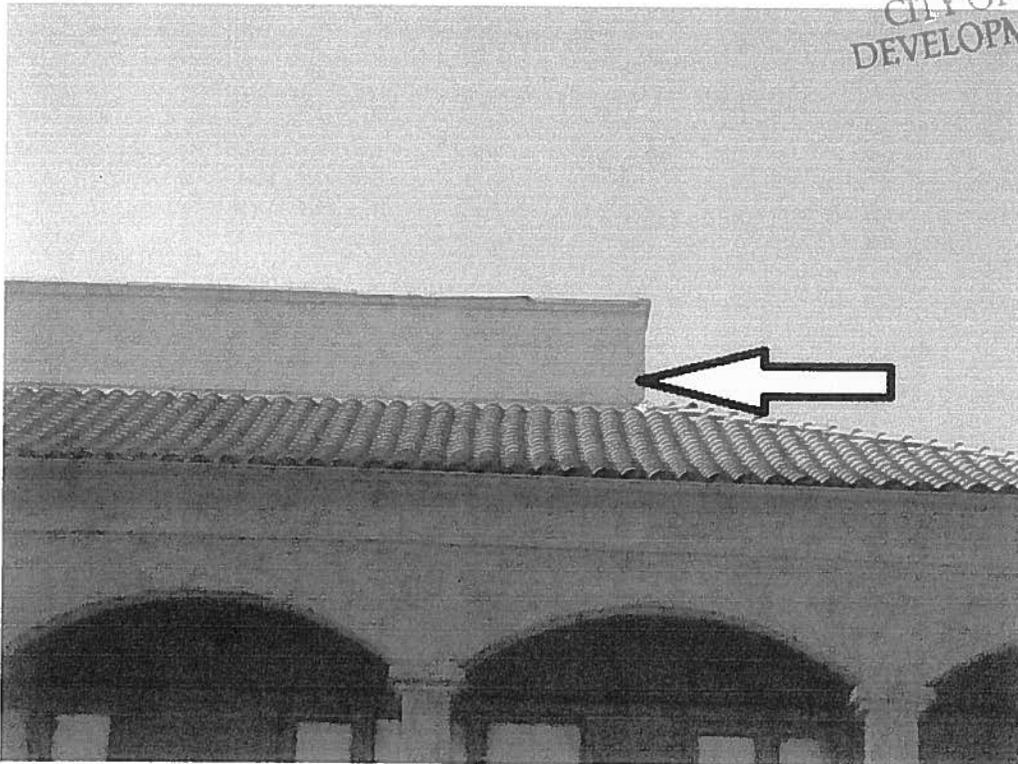
Site Photographs

ACUP12-00016



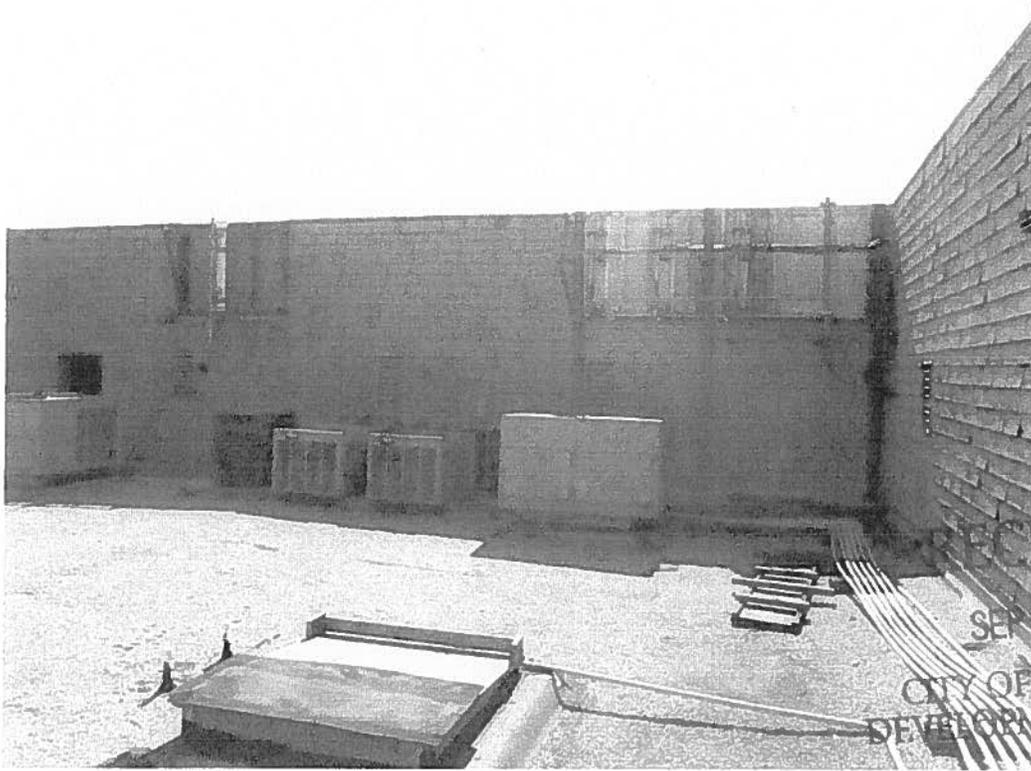
Project site.

RECEIVED
SEP 13 2012
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

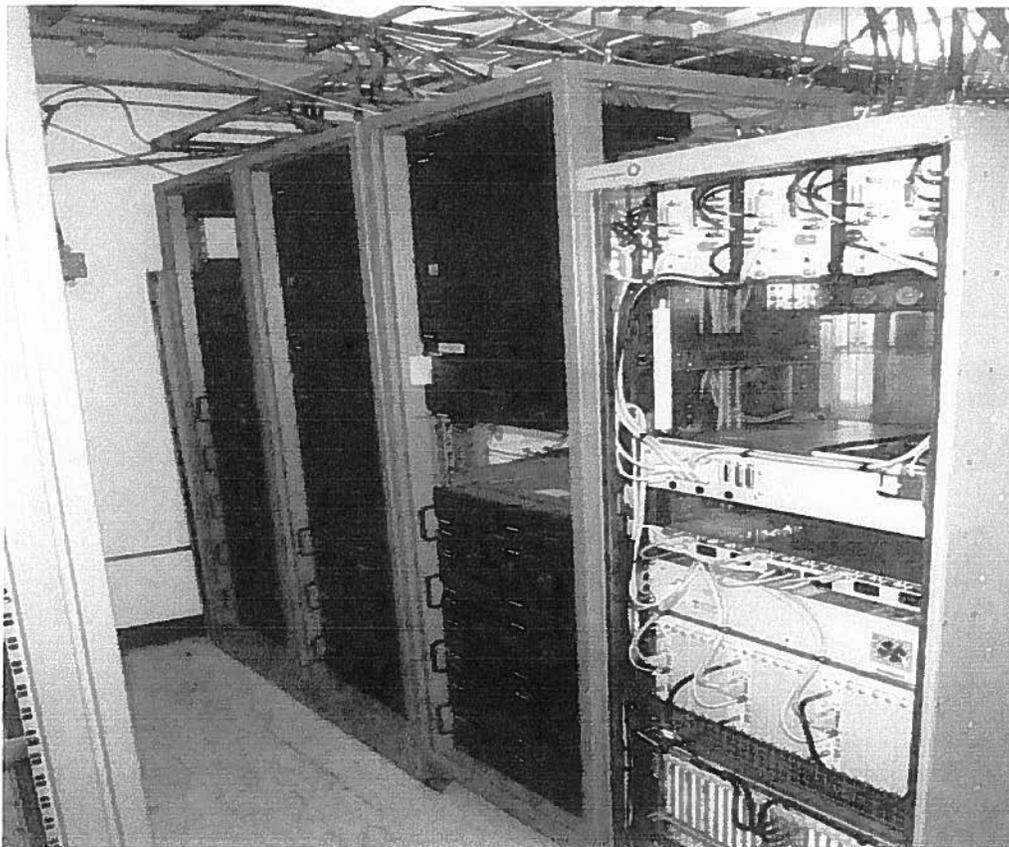


Antenna Screen Wall.

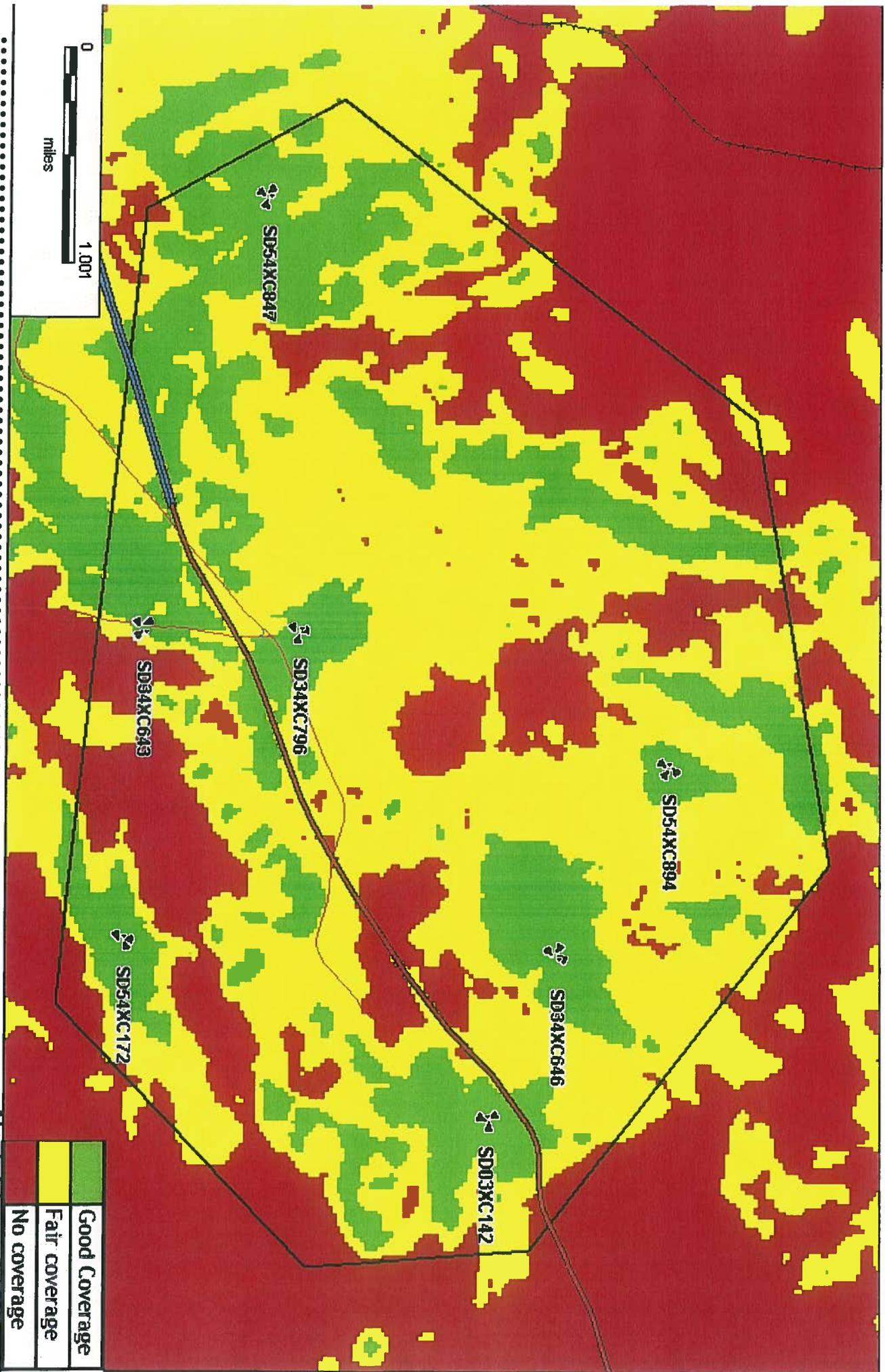
Site Photographs



Backside of antennas.

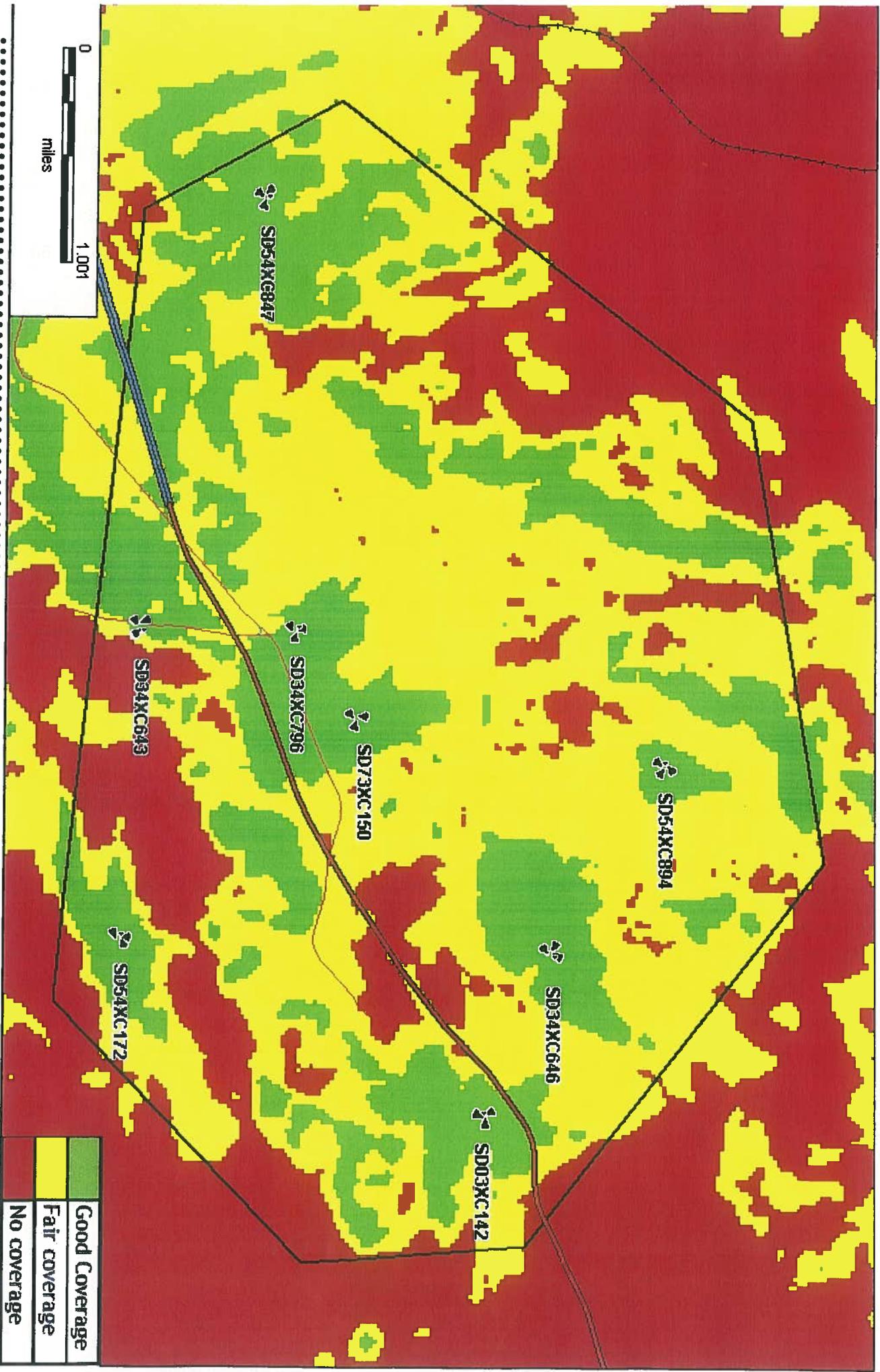


Radio equipment racks.

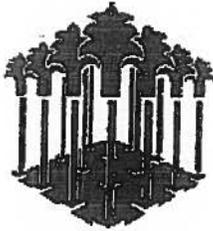


SD73XC150

Coverage with tier1 neighboring sites : with Site



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RECEIVED
SEP 13 2012
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

for ACUP12-00016

DATE: August 13, 2007

FROM: Community Development Department/Planning Division

SUBJECT: AN ADMINISTRATIVE CONDITIONAL USE PERMIT (ACUP-13-07) FOR THE RENEWAL AND OPERATION OF AN EXISTING TELECOMMUNICATION FACILITY CONSISTING OF THREE PANEL ARRAYS OF FOUR COMMUNICATION ANTENNAS MOUNTED ON AN EXISTING RELIGIOUS FACILITY BUILDING LOCATED AT 420 N. EL CAMINO REAL. -SPRINT @ 420 N. EL CAMINO REAL- APPLICANT: NSA WIRELESS

RECOMMENDATION

Staff recommends approval of Administrative Conditional Use Permit (ACUP-13-07) with conditions as attached.

PROJECT DESCRIPTION

Site Review: The property consists of a 2.34-acre commercial site with an existing two story 28,506 square foot office building constructed in 1992.

Surrounding Properties: The site is located at the northeast corner of the intersection of El Camino Real and Douglas Drive. Surrounding land uses consist of Medium Density Residential-A (RM-A) condos and apartments to the north west and Special Commercial Limited Historic overlay (CS-L-H) properties to the south.

Project Description: Sprint Communications proposes to operate and maintain an existing telecommunication facility within an existing office building that is currently used as religious facility and associated offices, located at 420 N. El Camino Real. The existing telecommunication facility was approved on April 22, 2002 under Administrative Conditional Use permit ACUP-10-01 and a new Administrative Conditional Use Permit (ACUP-13-07) is required to operate the existing facility. Operation of the existing telecommunication facility will consist of three (3) panel arrays consisting of four (4)

11-5-07

antennas per array for a total of twelve (12) antennas mounted within a three foot tall parapet extension above the building. All panel arrays are concealed from public view with radio frequency (RF) materials that match the building wall surfaces and textures. Associated equipment located within the existing building and the existing antennas will be used in its current state and no additional improvements will be associated with this Administrative Conditional Use Permit.

ENVIRONMENTAL DETERMINATION

The project has been deemed to be exempt from the requirements of environmental review, pursuant to the California Environmental Quality Act (CEQA) class 15301 (a) Existing Facilities.

FINDINGS

For Administrative Conditional Use Permit (ACUP-13-07):

1. That the proposed location of the use is in accord with the objectives of this ordinance and the purposes of the district in which the site is located.
 - The project facilities will be concealed within a 3-foot extension of an existing parapet wall matching the building's materials and color and would not create physical changes affecting the general appearance of the site and building. As such, the project is consistent with the purposes of the CS-L-H zoning district.
2. That the proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan, will not be detrimental to the public health, safety, welfare of persons residing or working in or adjacent to the neighborhood of such use, and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.
 - The location of the project and the conditions under which it operates is ~~consistent with General Plan and minimizes impacts on the surrounding land uses.~~
3. That the proposed conditional use will comply with the provisions of the Zoning Ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.

- The project as conditioned complies with the provisions of the Zoning Ordinance.

The project is subject to specific performance requirements and other conditions of approval as follows:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check.
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and Local building codes.
3. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property shall be underground (City Code Sec. 6.30).
4. A separate/unique address ("suite" number) will be required for utility releases.
5. The developer shall monitor, supervise and control all building construction and supportive activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:
 - a) Building construction work hours shall be limited to between 7 a.m. and 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
 - b) The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of ~~debris in approved solid-waste containers shall be considered compliance with this requirement.~~ Small amounts of construction debris may be stored on site in a neat, safe manner for short periods of time pending disposal. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check.
6. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and local building codes.

Planning:

7. This Administrative Conditional Use Permit shall expire on March ##, 2013 unless implemented as required by the Zoning Ordinance.
7. This Administrative Conditional Use Permit approves only the following: the operation of a telecommunication facility from an existing commercial building consisting of three (3) arrays of four (4) communication antennas mounted behind a 3-foot tall extension of an existing 1.5-foot tall rooftop parapet and an associated equipment shelter within the building. Any substantial modification in the design or layout shall require a revision to the Administrative Conditional Use Permit or a new Administrative Conditional Use Permit.
8. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and or operator. This notification's provision shall run with the life of the project.
9. Failure to meet any conditions of approval for this development shall constitute a violation of the Administrative Conditional Use Permit.
10. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued are required to be met by this project. The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification and their submission of all informational materials. These materials and information shall be binding upon the use and operation of the facility, unless specifically waived by an adopted condition of approval.
11. The method of antenna concealment shall match the exterior appearance of the existing parapet wall including color, exterior wall texture and enhanced trim features. The final building plans shall include section drawings, section details, etc., as deemed necessary by the Planning Director, to demonstrate accurate implementation of the approved project. Such measures shall include, but shall not be limited to, surface finish treatments extending into the adjoining surface areas, and other necessary work for the replication of the project shown on the approved plans, photo-simulations and application materials. These measures shall be shown on the building plans.
12. The physical aspects of telecommunication facility, as pertains to location, size, height, and general appearance shall replicate the information shown on the approved plans, photo-simulations, and all other material submitted for the approval of the project by the City Planner and shall be represented on the plans submitted for building permits.

13. The Administrative Conditional Use Permit shall be limited to a term of 5 years. However, the ACUP may be renewed in accordance with the provisions of the Zoning Ordinance.
14. Upon one year of facility operation, and upon any change-out of facility equipment, the permittee shall provide the City Planner a statement of radio-frequency radiation output and output compliance with the limitations of governing licensing authorities.
15. The permittee shall exercise a good-faith effort to incorporate the best available equipment technology to effect a reduction in the visual presence of the approved antennas and facility equipment. The change-out and retrofit of equipment shall be conducted by the permittee after such equipment becomes available and exhibits common use at similar facilities. Upon the City's request and discretion, the permittee shall be required to provide an independently prepared technical analysis demonstrating compliance with this condition. The permittee's inability to demonstrate the use of current technologies may be grounds for the revocation of the ACUP.
16. The approved communication facility shall be subject to, and governed by, any and all licensing authority by any governmental agency having jurisdiction. The City's local approval of a communication facility shall not exempt the permittee from any such pre-emptive regulations.
17. A covenant approved by the City Attorney shall be prepared by the applicant and recorded prior to the issuance of building permits. The covenant shall provide that the property is subject to this approval and the conditions of approval.

PREPARED BY:

APPROVED BY:

Scott Nightingale, Planner II

Jerry Hittleman, City Planner

REVIEWED BY:

Richard Greenbauer, Senior Planner

JH/SN/no

Attachments: 1. Notice of Action
2. Floor Plans/Elevations/Site Plan
3. Environmental Exemption

cc: NSA Wireless
2527 Camino Ramon, Ste. 305
San Ramon, CA. 94583
Attn: Rachel Fenton



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

BY

11/26/12

Please Print or Type All Information

HEARING

PART I -- APPLICANT INFORMATION

GPA

1. APPLICANT
Sprint Nextel c/o Alcatel Lucent

2. STATUS

MASTER/SP.PLAN

ZONE CH.

3. ADDRESS 9605 Scranton Road, #400
San Diego, CA 92121

4. PHONE/FAX/E-mail
760-224-6000

TENT. MAP

PAR. MAP

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Kevin Moe (Agent for Sprint)

DEV. PL.

C.U.P.

ACUP12-00016

6. ADDRESS
36 Executive Park, Suite 210
Irvine, CA 92614

7. PHONE/FAX/E-mail
310-903-8640

VARIANCE

COASTAL

PART II -- PROPERTY DESCRIPTION

O.H.P.A.C.

8. LOCATION
420 N. El Camino Real, Oceanside, CA 92054

9. SIZE

10. GENERAL PLAN
SC

11. ZONING
CS-L-H

12. LAND USE
Church

13. ASSESSOR'S PARCEL NUMBER
158-061-24

14. LATITUDE 33 13' 54.983"

15. LONGITUDE 117 19'28.992"

PART III -- PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION
Request for renewal of 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

| | | | | | |
|-------------------------------------|--------------------------------|-------------------------------------|------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | 26. DESCRIPTION/JUSTIFICATION | <input checked="" type="checkbox"/> | 27. LEGAL DESCRIPTION | <input checked="" type="checkbox"/> | 28. TITLE REPORT |
| <input checked="" type="checkbox"/> | 29. NOTIFICATION MAP & LABELS | <input checked="" type="checkbox"/> | 30. ENVIRONMENTAL INFO FORM | <input checked="" type="checkbox"/> | 31. PLOT PLANS |
| <input checked="" type="checkbox"/> | 32. FLOOR PLANS AND ELEVATIONS | | 33. CERTIFICATION OF POSTING | <input checked="" type="checkbox"/> | 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):
Kevin Moe (Agent for Sprint)

36. DATE

5/23/14

37. OWNER (Print)

See Attached LOA

38. DATE

Sign:

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**

ACUP 12-00016

Sprint Nextel Project Number: SD73XC150

Sprint Nextel Project Name: Oceanside Family Fellowship

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: ~~400~~ N. El Camino Real, Oceanside, CA 92054

APN: 158-061-24

Zoning: CS-L-H

General Plan: SC

Project Representative

Name: SureSite Consulting Group, LLC

Address: 36 Executive Park, Suite 210, Irvine, CA 92614

Contact Information: Kevin Moe, 310-903-8640, k.moe@sure-site.com

Sprint Contact

Name: Robert Krebs

Alcatel Lucent

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

(760) 224-6000

steve.layman@alcatel-lucent.com

Project Description

Proposed is the removal of three existing panel antennas mounted behind existing screen walls on the roof of a two church building and the reinstallation of one new 4G antenna per sector and the placement of one RRU unit behind each antenna. 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 13-07. Project improvements are summarized as follows: remove 3 IDEN antennas, keep 9 CDMA antennas, install 3 new 4G antennas, install 3 RRH units, remove all unused antenna coaxial cable, install 3 new fiber optic cables, retrofit modcell cabinet, install new junction box, replace GPS antenna.

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: 36 Executive Park, Suite 210, Irvine CA 92614

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

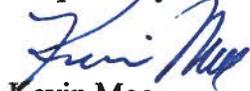
Sprint Nextel is one of the fastest growing nationwide service providers offering all digital voice, messaging and high-speed data services to nearly 30 million customers in the United States.

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,



Kevin Moe

Authorized Agent for Sprint Nextel and
Alcatel Lucent

Order No.
Escrow No.
Loan No.

CUP 12-00034

8700

DOC # 2001-0259526

RECORDING REQUESTED BY
WHEN RECORDED MAIL TO:

APR 26, 2001 2:32 PM

Oceanside Family Fellowship
P.O. Box 130
San Luis Rey, CA 92068

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER

FEES: 13.00
DC: DC

RECEIVED

SEP 16 2013

CITY OF OCEANSIDE
DEVELOPMENT SERVICES



2001-0259526

DOCUMENTARY TRANSFER TAX \$ 0 Correction

SPACE ABOVE THIS LINE FOR RECORDER'S USE

..... Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances remaining at time of sale.

Parcel # 158-061-24-00

[Signature]
Signature of Declarant or Agent determining tax — Firm Name

QUITCLAIM DEED

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

JEDJAC, a limited partnership

420 N. El Camino Real

do(es) hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

OCEANSIDE FAMILY FELLOWSHIP, INC. and SOUTHERN CALIFORNIA DISTRICT COUNCIL-
ASSEMBLIES OF GOD, INC.
the real property in the City of Oceanside
County of San Diego

, State of California, described as

PARCEL 1 OF PARCEL MAP NO. 15850, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO,
STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO
COUNTY, ON OCTOBER 26, 1989 AS FILE NO. 89-583204 OF OFFICIAL RECORDS.

This is a simple correction of a grant deed recorded October, 01, 1997
Bearing Document # 1997-0487404

Dated 4-26-2001

Carolyn J. Wong

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } ss.

JEDJAC, a limited partnership

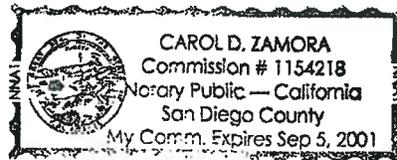
On April 26, 2001 before me,

Carol D. Zamora
personally appeared Carolyn C. Wong

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Carol D. Zamora



MAIL TAX STATEMENTS TO: Same as Above

(This area for official notarial seal)



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 6/20/2014
Removal:
(180 days)

1. **APPLICANT:** Sprint/Nextel C/O Alcatel
2. **ADDRESS:** 9605 Scranton Rd. #400
San Diego, CA. 92121
3. **PHONE NUMBER:** Kevin Moe-Sure Site (310) 903-8640
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** Sprint @ 410 San Luis Rey (ACUP12-00016 & H14-00002)
7. **DESCRIPTION:** A request for an Administrative Conditional Use Permit (ACUP12-00016) and Historic Permit (H14-00002) to allow equipment upgrades and the continued operation of an existing wireless communications facility attached to a rooftop of an existing office building located at 410 San Luis Rey Road. The project involves the removal of three of the existing 12 panel antennas, to allow the replacement of three new 4G antennas with higher technology. One existing radio equipment cabinet would be retrofitted with the new 4G radio units. There would be no net increase in the number of antennas authorized for site. The existing and proposed antennas are mounted behind the existing radio frequency parapet walls at a height of 42.8-feet measured from the existing grade. The location of the new antennas would not extend beyond the height of the parapet walls and would be screened from public view.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA). Therefore, the staff 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 (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Planner II

Date: June 20, 2014

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