

AGENDA NO. 4



PLANNING COMMISSION

STAFF REPORT

DATE: February 23, 2015

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF AN APPEAL FOR ADMINISTRATIVE CONDITIONAL USE PERMIT (ACUP14-00012) FOR THE CONTINUED OPERATION AND UPGRADE OF AN EXISTING WIRELESS TELECOMMUNICATION FACILITY LOCATED AT 547 VISTA BELLA – VERIZON AT 547 VISTA BELLA- APPLICANT: VERIZON WIRELESS**

BACKGROUND & RECOMMENDATION

On January 20, 2015 the City Planner considered the continued operation and upgrade of an existing wireless communication facility and approved ACUP14-00012. On February 2, 2015, the approval was appealed by Mrs. Eileen Costa (Attachment 1) claiming that the radio frequency (RF) study for the project did not take into consideration the cumulative impacts of all wireless facilities located on the property. The applicant is in the process of investigating and addressing the claim and revising the report, as appropriate. Once the revised RF study is complete and reviewed by the City's third-party consultant, this project will be brought back to the Planning Commission with a full staff report for consideration. At that time, the new hearing will be re-noticed.

Staff recommends that the Planning Commission open the public hearing and continue the item in order to give the applicant time to complete their RF study and for the City's third party consultant to perform a review for compliance with FCC regulations.

PREPARED BY:

A blue ink signature of Martin Miller.

Martin Miller
Consulting Assistant

SUBMITTED BY:

A blue ink signature of Jeff Hunt.

Jeff Hunt
Interim City Planner

JF/MM/fil

Attachments:

1. Appeal
2. Other Attachments (Application Page, Description and Justification, Legal Description, Notice of Exemption)

marge collins

From: "marge collins" <jcollins35@cox.net>
 To: "marge collins" <jcollins35@cox.net>
 Sent: Friday, January 30, 2015 2:54 PM
 Subject: Cell Towers
 From: Eileen and Bob Costa
 Sent: Thursday, January 29, 2015 3:50 PM
 To: Martin Miller
 Cc: JHunt@ci.oceanside.ca.us
 Subject: Re: ACUP14-00012 - Verizon @ 547 Vista Bella

RECEIVED

FEB 02 2015

**CITY OF OCEANSIDE
DEVELOPMENT SERVICES**

Dear Mr. Miller, and Mr. Hunt:

Please confirm your receipt of this email as the deadline is tomorrow, January 30, 2015.

I read the reports Mr. Miller sent regarding ACUP14-00012 for Verizon at 547 Bella Vista in Oceanside. Unfortunately, the mandatory FCC cumulative RF analysis of the total emissions of the multiple carriers turned

on at the same time at high frequency (maximum) co-located at this site was never planned or accomplished.

It may be that the tests were done according to the rules and regulations

for a single carrier rather than multiple carriers which are different requirements.

I strongly object to the approval of this project and request that it not be allowed until all the mandatory FCC

requirements for a multiple carrier site are met. Another test I request is one that takes into consideration the

homes across the street that are situated on a berm which places them at the level of the antennas on the roof.

A test needs to be performed to ascertain whether they are in any danger zone whether minimal or high danger.

Please respond to this email with your confirmation that these tests to be done by all carriers at the same time

at full force will be done.

Thank you for your help,

Eileen Mary Costa
 3621 Vista Campana South
 Unit 91
 Oceanside, California 92057

Name	Address
Raymond Luman	3660 VISTA CAMPANA N #41, OCEANSIDE, CA 92057
Maria Terry	" " " " " "
Nelson Luffa	3660 VCN #37 " " " "
Vickie Rouse Mitchell	3660 Vista Campana N. 39
Carole Mierney	3660 Vista Campana N
LouAnn Stone	3660 Vista Campana N #36
Sandra Barber	3660 Vista Campana N #35
Francis Warren	3660 VISTA CAMPANA N #34
Jane Bradley	3660 Vista Campana N #32
James L. Bailey	3660 VISTA CAMPANA R. #30
Mary J. Miller	3660 Vista Campana #24
Patricia H. Hulse	3660 Vista Campana #23
Carla J. Johnson	3660 Vista Campana N. Oceanside #21 (miller) 1/30/2015

Jeanne	Javes	3660 ⁻¹⁸ N Vista Campana
Clayton	Javes	3660 N Vista Campana
Richard	Melero	3660 N. #20 Vista Campana
Walter	Maj	3660 V. Campana # 11
Sally	Schwartz	3660 V. Campana #9
Audrey	Cox	3660 V. Campana N # 7
Shirley	Hale	3660 Campana N # 12
Bonnie L.	Bravo	3660 Vista Campana North # 30 92057
Epifanio	Costa	3621 Vista Campana So #91 92057
Al	Costa	3621 Vista Campana So #91 92057

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Oceanside, California 92057

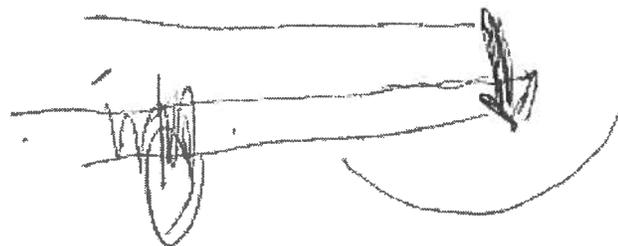
Name	Address
Raymond Caman	3660 VISTA CAMPANA N #41, OCEANSIDE, CA 92057
Maria Terry	" " " " " "
Debra L Wylie	3660 VCN #37 " " " "
Vickie Rowe Mitchell	3660 Vista Campana N #39
Carol Mierany	3660 Vista Campana N
Louise Stone	3660 Vista Campana N #36
Sandra Barber	3660 Vista Campana N #35
Francis Warren	3660 VISTA CAMPANA N #34
Gene Bradley	3660 Vista Campana N #32
James L. Bailey	3660 Vista Campana R #30
Wendy J. Miller	3660 Vista Campana #24
Patricia Hulse	3660 Vista Campana #23
Barbara Johnston	3660 Vista Campana N, Oceanside #21 (m.c.) 1/30/2015

Please check visibility of signage
on ground in back of church

no signs in front of church

Most people do not know antennas
are there.

Check radars





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

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT Verizon Wireless	2. STATUS
3. ADDRESS 15505 Sand Canyon Ave. Irvine, CA 92618	4. PHONE/FAX/E-mail 408-667-2791
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Candace Chu, Agent	
6. ADDRESS 302 State Place, Escondido, CA 92029	7. PHONE/FAX/E-mail candace.chu@plancominc.com

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

PART II - PROPERTY DESCRIPTION

8. LOCATION 547 Vista Bella, Oceanside CA 92054	9. SIZE 32,953 s.f.
10. GENERAL PLAN n/a	11. ZONING CL
12. LAND USE Commerical Limited	13. ASSESSOR'S PARCEL NUMBER 160-140-13
14. LATITUDE	15. LONGITUDE

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION Remove and replace 6 previously approved antennas, install 4 Raycaps, 3 RRU's, and 3 RIUs near the antennas. Install 1 Raycap within the existing equipment enclosure.

17. PROPOSED GENERAL PLAN no change	18. PROPOSED ZONING no change	19. PROPOSED LAND USE wireless communication facility	20. NO. UNITS n/a	21. DENSITY n/a
22. BUILDING SIZE 270 s.f.	23. PARKING SPACES n/a	24. % LANDSCAPE 0	25. % LOT COVERAGE or FAR 1.2%	

PART IV - ATTACHMENTS

26. DESCRIPTION/JUSTIFICATION	27. LEGAL DESCRIPTION	28. TITLE REPORT
29. NOTIFICATION MAP & LABELS	30. ENVIRONMENTAL INFO FORM	31. PLOT PLANS
32. FLOOR PLANS AND ELEVATIONS	33. CERTIFICATION OF POSTING	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): Candace Chu, Agent	36. DATE 8/12/14	37. OWNER (Print): Coastline Baptist Church	38. DATE
Sign:		Sign: SEE ATTACHED LOA	

- 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.

**VERIZON WIRELESS
HWY 76/ EL CAMINO REAL
547 VISTA BELLA, OCEANSIDE, CA 92054
PROJECT DESCRIPTION AND JUSTIFICATION
&
ALTERNATE SITE ANALYSIS**

PROJECT DESCRIPTION

Verizon Wireless (VZW) is applying for a permit for an existing Verizon Wireless communications facility previously approved by the City of Oceanside under Conditional Use Permit ACUP-11-03 on August 30, 2004 at 547 Vista Bella. The permit has expired and VZW is proposing this application for a telecommunications facility consisting of 3 arrays of 4 panel antennas (12 antennas total), one GPS antenna, and one 48" MW dish mounted behind parapet walls with FRP screening at a max height of 24'-2" to the top of wall, and (14'-2" x 14'-7") outdoor CMU equipment enclosure. In the northwest quadrant of the property and not visible from the surrounding property and public view is a ground-mounted emergency generator measuring 3'2" wide x 7'11" long x 59" tall installed on a 5' x 8' concrete pad with a built-in retention curb which was previously approved as Substantial Conformance on August 7, 2008.

Verizon is proposing minor modifications to remove and replace six (6) antennas on the rooftop behind parapet screening. In addition, install three (3) RIU's mounted behind antennas, install three (3) RRU's mounted behind antennas, and install five (5) Raycaps-1 within the existing equipment room and 4 near the antennas behind the parapet. The existing equipment area is screened from view by an existing landscaped slope and is not visible from the public right of way. There are no changes to the location of the existing equipment room. Additional antenna and equipment details are shown on the zoning drawings submitted with the application.

SITE CHARACTERISTICS

The project site is zoned CL (Commercial Limited District) and is located within the Oceana Neighborhood. The subject property is fully improved with a one-story commercial structure consisting of a church and church office use. The property is completely developed with the proposed use being passive and creates no interference to the residence or church operations. Land Use Map of Oceanside shows designations of commercial general to the north, medium density residential to the west, to the south across Oceana Drive and across Vista Bella to the east. The subject property is elevated high above S. El Camino Real that runs along the west side of the property.

The surrounding land uses are as follows:

North:	CG : Commercial General
South:	RM-A : Medium Density Residential
East:	RM-A : Medium Density Residential
West:	RM-A : Medium Density Residential

**VERIZON WIRELESS
HWY 76/ EL CAMINO REAL
547 VISTA BELLA, OCEANSIDE, CA 92054
PROJECT DESCRIPTION AND JUSTIFICATION
&
ALTERNATE SITE ANALYSIS**

ALTERNATE SITES ANALYZED

This is an existing wireless communications facility of which the original permit has expired and we are proposing an application for a new permit. In addition to Verizon, T-Mobile, has an existing facility on this property as well. We are proposing minor modifications to an existing site, and because this site is existing, an alternate site analysis is not necessary.

AERIAL VIEW OF PROJECT SITE



File No: 08022808

EXHIBIT "A"

All that certain real property situated in the County of San Diego, State of California, described as follows:

Parcel I:

Parcels A, B and C, in the City of Oceanside, County of San Diego, State of California, as shown on Page 4932 of Parcel Maps, filed in the office of the County Recorder of San Diego County, July 22, 1976.

Parcel II:

A non-exclusive easement for ingress, egress and parking as set forth in that Agreement for Reciprocal Parking Easement recorded August 19, 2005 as Instrument No. 2005-0717574 of Official Records.

Assessor's Parcel Number: 160-140-13, 14 AND 15



NOTICE OF EXEMPTION
 City of Oceanside, California

Post Date: 1/20/15
 Removal: (180 days)

1. **APPLICANT:** Verizon Wireless
2. **ADDRESS:** 15505 San Canyon Ave., Irvine, CA 92618
3. **PHONE NUMBER:** Candace Chu, Agent, (408) 667-2791
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Martin Miller, Consulting Assistant
6. **PROJECT TITLE:** Verizon @ 547 Bella Vista (ACUP14-00012)
7. **DESCRIPTION:** A request for approval of an Administrative Conditional Use Permit (ACUP14-00012) to allow the upgrade and continued usage of a wireless communications facility to be located at 547 Bella Vista, Oceanside, California. Under authority of ACUP-11-03, which has since expired, the Verizon Wireless architecturally integrated a wireless communications facility mounted behind a 6-foot high radio frequency transparent screen material. The current request is to remove and replace six (6) of the twelve (12) previously approved antennas, install four (4) Raycaps, three (3) remote radio units (RRUs), and three (3) radio interface units (RIUs), all of which will continue to be concealed behind the existing screening or installed in the equipment shelter. There will be no exterior changes to the building.

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 staff has determined that further environmental evaluation is not required because:

- The project is categorically exempt, Class 1, Existing Facilities, (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).


 Martin Miller, Consulting Assistant

Date: Dec. 22, 2014

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