

CALIFORNIA COASTAL COMMISSION

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Staff:	A. Llerandi-SD
Staff Report:	2/4/2013
Hearing Date:	3/7/2013

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-13-002

Applicant: Verizon Wireless

Agent: Shelly Kilbourn

Location: Mission Bay Drive and Quivira Road, Mission Beach, San Diego, San Diego County

Project Description: Construct a 240 square foot, unmanned wireless communication facility and locate 9 antennas on 2 new light standards within the City's right-of-way

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval with conditions. The proposed project is construct a 240 square foot wireless communication facility and locate 9 antennas on 2 new light standards within the City of San Diego's right-of-way at Mission Bay Drive and Mission Bay Exchange with Mission Bay Park.

The primary issue raised by the proposed development relates to protection of public views. Visual resources could be impacted by blockage of designated view corridors to or along the ocean by the new wireless communication facility

Recommended conditions to minimize these impacts include requirements to verify and receive written approval that the development is built according to plans that protect views.

Commission staff recommends **approval** of coastal development permit application 6-13-002 as conditioned.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....	4
II. STANDARD CONDITIONS.....	4
III. SPECIAL CONDITIONS.....	4
IV. FINDINGS AND DECLARATIONS.....	6
A. PROJECT DESCRIPTION.....	6
B. COMMUNITY CHARACTER/VISUAL QUALITY.....	6
C. PUBLIC ACCESS/PARKING.....	6
D. LOCAL COASTAL PROGRAM.....	7
E. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	8

EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Aerial View

Exhibit 3 – Site Plan

Exhibit 4 – Project Site

I. MOTION AND RESOLUTION

The staff recommends the Commission adopt the following resolution:

Motion:

*I move that the Commission **approve** the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. STANDARD CONDITIONS.

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Final Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval final project plans. Said plans shall first be approved by the City of San Diego and be in substantial conformance with the plans drafted by Timothy Golba and submitted by Shelly Kilbourn on 1/16/2013.

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the

Executive Director. No changes to the plans shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Co-Location of Future Antennas.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall agree in writing to cooperate with other communication companies in co-locating additional antennas and/or equipment on the project site in the future, providing shared use does not impair the operation of the approved facility. Upon the Commission's request, the permittee shall provide an independently prepared technical analysis to substantiate the existence of any practical technical prohibitions against the operation of a co-use facility.

3. **Future Redesign.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed telecommunications facility, the applicant shall make those modifications which would reduce the visual impact of the proposed facility. In addition, the applicant agrees that if, in the future, the facility is no longer needed, the applicant shall abandon the facility and be responsible for removal of all permanent structures and restoration of the site as needed to re-establish the area consistent with the character of the surrounding vegetation. Before performing any work in response to the requirements of this condition, the applicant shall contact the Executive Director of the California Coastal Commission to determine if an amendment to this coastal development permit is necessary.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION.

The proposed project is to construct a 240 square foot unmanned wireless communication facility and locate 9 antennas on 2 new light standards within the City right-of-way at Mission Bay Drive and Mission Bay Exchange in Mission Bay Park in the City of San Diego.

The project site is on the north side of Quivira Road, between Quivira Road and the exchange between West Mission Bay Drive and Sunset Cliffs Boulevard. The project is located between the first public road and the sea, and due to the proximity of the water to any point within Mission Bay Park, there is the potential for the project to impact views to the shoreline from the exchange between West Mission Bay Drive and Sunset Cliffs Boulevard. The Commission typically reviews such projects to ensure that any new development does not impact public views or access of coastal resources.

In this particular project, there is potential for the proposed 9'4" wide, 26'8" long, and 11'7" tall unmanned wireless communication facility to obstruct views of coastal waters from public roadways. However, as is seen in the site photo ([Exhibit 4](#)), the view south over the project site towards the water from the exchange between West Mission Bay Drive and Sunset Cliffs Boulevard already presents a view obstructed by existing trees and development, and coupled with the speed of traffic along this curving road, visual resources are limited. Additionally, the Sunset Cliffs exchange is not a pedestrian route, as there are no sidewalks or paths on the connection between two very heavily driven roads, so viewing opportunities are further limited. Finally, the elevated grade of the Sunset Cliffs exchange compared to the project site, coupled with the proposed facility's 11'7" height, makes visual impacts even less likely.

The two proposed 29'6"-tall light standards will not adversely impact public views to coastal resources, as they are located on West Mission Bay Drive, a road even farther away from the water where traffic speeds are higher and coastal views even more obstructed by a greater amount of trees.

In selecting the proposed project site, the applicant needed to provide infill coverage between their Belmont Park antenna site to the west and the antenna site at the intersection of Sports Arena Boulevard and West Point Loma Boulevard to the south. The applicant looked at alternative locations for the unmanned wireless communication facility: the nearby Hyatt Islandia Hotel and Dana Landing. The Hyatt Islandia was determined to be too tall and usage would cause interference with nearby sites of the applicant, while Dana Landing was too low and would be partially blocked by the West Mission Bay Drive and Ingraham Street overpass. The proposed site was selected because it would not only avoid blockage by the overpass but also use its height to further provide coverage.

While the proposed facility will not have significant impacts on the visual quality of the area, the Commission is concerned that cumulatively, installation of additional similar

projects in the area could have adverse impacts on visual resources. When reviewing wireless communication facilities, the Commission must ensure that the facility is the smallest in size and shortest in height that it can be, and that it cannot be co-located with another existing site nearby or located elsewhere, in order to reduce any potential adverse impacts on visual resources and public views to the ocean associated with such facilities. As demand for wireless communication facilities increases, it is likely that other service providers will be interested in placing additional structures, antennas, and equipment in the project area and the Commission is concerned that cumulatively, installation of additional similar projects in the area could have adverse visual impacts on visual resources. Co-location is the preferred way to provide future telecommunication services, as this will limit the cumulative impact of these facilities. If co-location is not possible, however, then the visual impacts of such structures must be mitigated either through project design or siting so as not to result in adverse cumulative visual impacts.

As such, Special Conditions Nos. 2 and 3 have been attached. Special Condition No. 2 requires that the applicant submit a written statement agreeing to cooperate with other communication facilities in co-locating additional antenna on the proposed development, unless the applicant can demonstrate a substantial technical conflict to doing so. Special Condition No. 3 requires the applicant to submit a written statement agreeing to remove the structures and restore this site in the future should technological advances make this facility obsolete. In this way, it can be assured that the proliferation of these types of facilities can be limited to appropriate locations, and that the area will not be littered with outdated and obsolete facilities in the future.

Despite the unlikely nature of visual impacts, to further minimize any potential impacts Special Condition #1 requires the applicant to construct the communication facility in substantial conformance with the plans submitted to the Commission.

B. COMMUNITY CHARACTER/VISUAL QUALITY.

The development is located within a landscaped area adjacent to a traffic exchange and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views, as conditioned. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

C. PUBLIC ACCESS/PARKING.

As conditioned, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

D. LOCAL COASTAL PROGRAM.

The LUP for the Mission Bay Park LUP segment of the City of San Diego LCP was certified on May 11, 1995. This document is a land use plan only; no implementation component has been proposed for Mission Bay Park and thus Chapter 3 of the Coastal

Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

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SAN DIEGO CO.

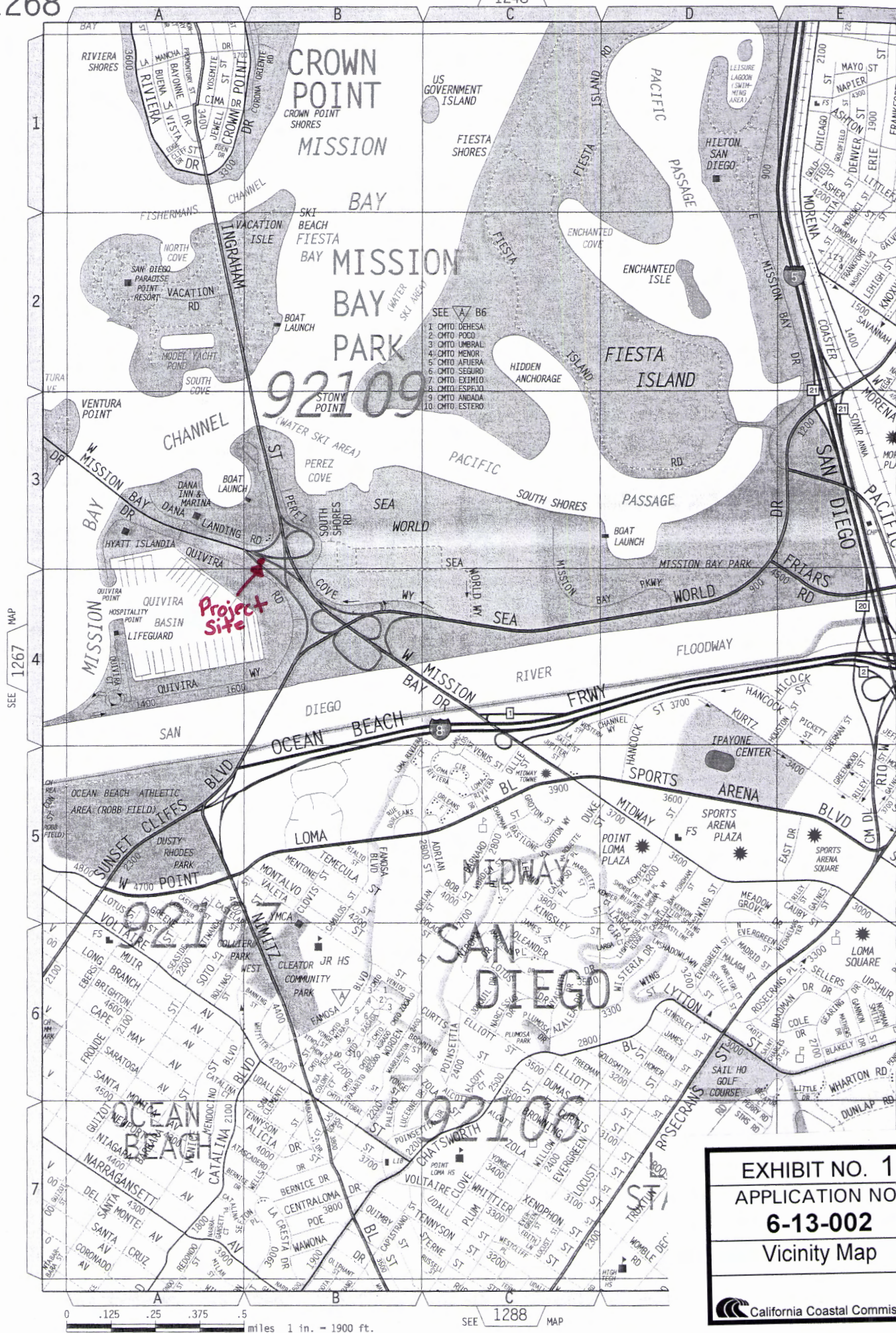


EXHIBIT NO. 1
APPLICATION NO.
6-13-002
Vicinity Map

Google earth

feet 700
meters 200



EXHIBIT NO. 2
APPLICATION NO.
6-13-002
Aerial Photo
 California Coastal Commission

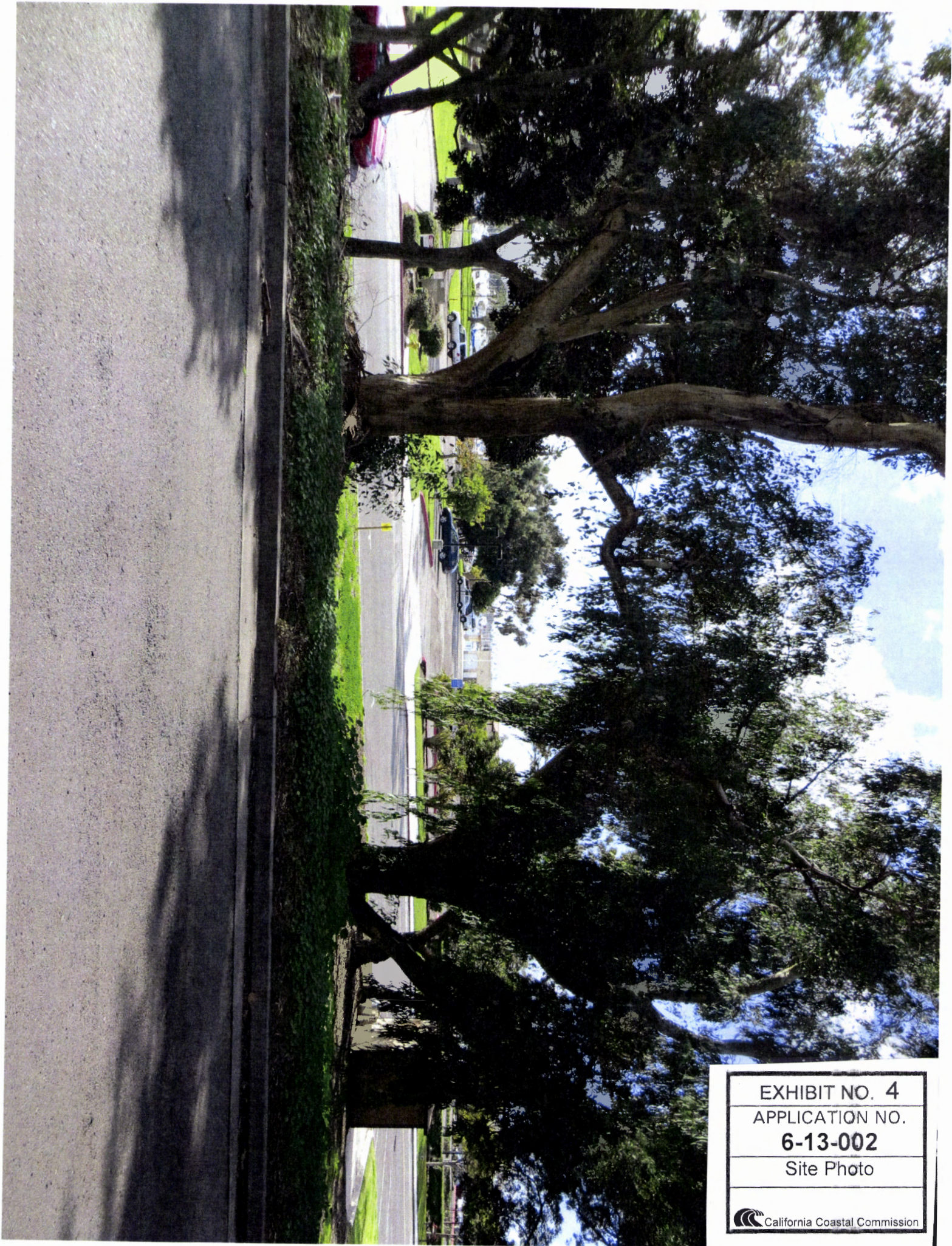


EXHIBIT NO. 4

APPLICATION NO.

6-13-002

Site Photo