

CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

- TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION
- FROM: Kimberly Brandt, Community Development Director Brenda Wisneski, Deputy Community Development Director
- SUBJECT: Report of actions taken by the Zoning Administrator, Hearing Officer, and/or Planning Division staff for the week ending February 10, 2012

COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS

Item 1: Tanner Young, on behalf of MetroPCS – Telecommunications Permit No. TP2011-019 (PA2011-203) 1 Hoag Drive

This item was approved on February 10, 2012 Council District 2

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

Email Jon Lewis, Support Services Lt., NBPD



COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER

APPLICATION:Telecommunications Permit No. TP2011-019 (PA2011-203)APPLICANT:Tanner Young, on behalf of MetroPCSLOCATION:1 Hoag DriveLEGAL DESCRIPTION:Irvine Subdivision, Block 1, Portion of Lot 172

PROJECT REQUEST AND DESCRIPTION

Tanner Young, on behalf of MetroPCS, has submitted an application requesting a telecommunications facility permit for MetroPCS to co-locate with an existing facility. The proposed installation includes six (6) panel antennas and three (3) parabollic antennas which will be face-mounted on the wall of the existing tower building. Also included are four (4) equipment cabinets to be installed within the building on the eleventh floor. The property is located in the PC-38 (Hoag Hospital) District.

No portion of the new telecom facility, including the additional screening, will extend above the maximum permitted height limit 235 feet above mean sea level (AMSL) for mechancial roof screens. The center of the antennas will be approximately 230 feet AMSL. The top of the proposed antennas and screening will be approximately 232 feet, 5 inches AMSL.

Photographic visual simulations depicting the existing and proposed conditions at the site have been prepared by the applicant and are included as Attachment No. CDD 3. A copy of the project site plan and elevations depicting the proposed project are attached as Attachment No. CDD 4.

ACTION: Approved with Conditions – February 10, 2012

In approving this application, the Community Development Director analyzed issues regarding compliance with Chapter 15.70 of the Newport Beach Municipal Code (NBMC). This approval is based on the findings and subject to the following conditions attached to this report.

The Community Development Director determined in this case that the proposed wireless telecommunications facility ("telecom facility") meets the provisions of Chapter 15.70.

APPEAL PERIOD

Telecommunications Facility applications do not become effective until 14 days after the date of action, during which time the applicant or any interested party may appeal the decision of the Community Development Director and division staff to the City Council by submitting a written appeal application to the City Clerk. For additional information on filing an appeal, contact the City Clerk at 949 644-3005.

On behalf of Kimberly Brandt, Community Development Director

By n M. Zdeba, Planning Technician

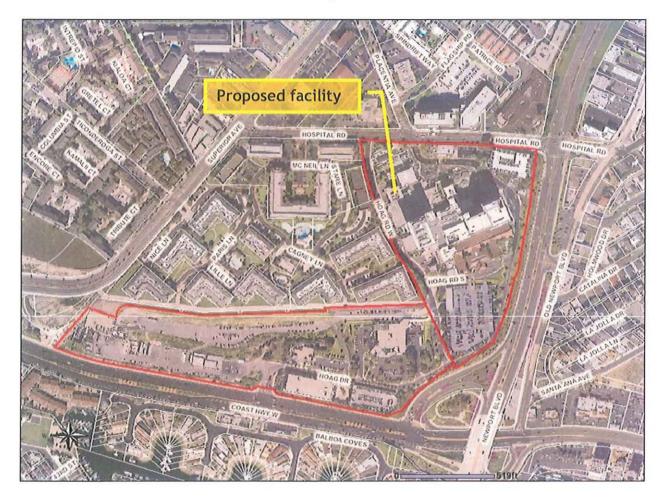
KB/bmz

Attachments: CDD 1 Vicinity Map CDD 2 Findings and Conditions of Approval CDD 3 Photographic Simulations CDD 4 Site Plan & Elevations

Attachment No. CDD 1 Vicinity Map

VICINITY MAP

1 Hoag Drive



Telecommunications Permit No. TP2011-019 (PA2011-203)

Attachment No. CDD 2

Findings and Conditions of Approval

FINDINGS AND CONDITIONS OF APPROVAL TELECOMMUNICATIONS PERMIT NO. TP2011-019 (PA2011-203)

FINDINGS

- The telecommunications facility as proposed meets the intent of Chapter 15.70 of the Newport Beach Municipal Code (NBMC), while ensuring public safety, reducing the visual effects of telecom equipment on public streetscapes, protecting scenic ocean and coastal views, and otherwise mitigating the impacts of such facilities for the following reasons:
 - The proposed telecom facility will not be detrimental to public health or safety because it is required to comply with the applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
 - The telecom facility is located on an existing building, and any future proposed facility to be located within 1,000 feet of the existing facility shall be required to co-locate on the same site to limit the adverse visual effects of proliferation of facilities in the City.
 - Due to the location and design of the facility, there is no impact to public views.
- 2. The telecommunications facility as proposed conforms to the technology, height, location and design standards for the following reasons:
 - The telecom facility approved under this permit utilizes the most efficient and diminutive available technology in order to minimize the number of facilities and reduce the visual impact.
 - The telecom facility approved by the permit does not exceed the maximum building height limit of 235 feet AMSL allowed in the PC-38 (Hoag Hospital) District, as specified in the Planned Community Text.
 - The antennas for the telecom facility approved by this permit will be wallmounted near the top of the existing tower structure, screened, and painted to match the color of the wall on which they are mounted.
 - The support equipment for the telecom facility will be placed within the existing mechanical room on the eleventh floor of the existing building.
- 3. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under

Section 15303 Class 3 (New Construction or Conversion of Small Structures) for the following reason(s):

 Class 3 allows the installation of small new equipment and facilities in small structures. The proposed project involves the installation of wallmounted panel and GPS antennas as well as support equipment inside the existing building.

CONDITIONS

- 1. The development shall be in substantial conformance with the approved plot plan, antenna and equipment plans, and elevations, except as noted in the following conditions.
- 2. A total of six (6) panel antennas and three (3) parabolic antennas shall be permitted as depicted on the approved plans and photographic simulations. The antennas shall be located within the proposed screening on the wall face. No external (visible) wiring or conduit shall be permitted on the building.
- 3. The related support equipment shall be located within the existing mechanical room on the eleventh floor as depicted on the approved plans. Installation of future pertinent support equipment for the telecom facility may be allowed so long as it is installed within the same location and entirely screened from public view.
- 4. Anything not specifically approved by this Telecom Permit is not permitted and must be addressed in a separate and subsequent Telecom Permit review.
- 5. The telecom facility approved by this permit shall comply with all applicable rules, regulations and standards of the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC).
- 6. The telecom facility shall comply with all regulations and requirements of the Uniform Building Code, Uniform Fire Code, Uniform Mechanical Code and National Electrical Code. All required permits shall be obtained prior to commencement of the construction.
- 7. The telecom facility approved by the permit shall comply with any easements, covenants, conditions or restrictions on the underlying real property upon which the facility is located.
- 8. Any future facilities proposed by other carriers to be located within 1,000 feet from the subject property shall be approved to co-locate at the same site by the property owner or authorized agent, unless otherwise approved by the Planning Division.
- 9. <u>Prior to issuance of building permits</u>, a deposit of \$1,000 shall be paid to the City of Newport Beach. This deposit is required by the Planning Division to ensure

preparation and submittal of the RF Compliance and Radiation Report, referenced in the above Condition. The deposit will be used to defray any and all fees associated with review of the report by an independent technical consultant, pursuant to Section 15.70.070 B-10 of the Telecom Ordinance. Any unused deposit fees will be refunded to the applicant upon determination of compliance with the approved frequency and FCC standards.

- 10. <u>Prior to issuance of building permits</u>, the applicant shall obtain a determination, in writing, from the Coastal Commission that the project as proposed is not a development under the California Coastal Act, or obtain Coastal Commission approval of the wireless telecommunications facility.
- 11. Prior to the issuance of any building, mechanical and/or electrical permits, architectural drawings and structural design plans shall be submitted to the City of Newport Beach for review and approval by the applicable departments. A copy of this approval letter shall be incorporated into the drawings approved for the issuance of permits.
- 12. No wireless communication facility shall interfere with the public safety radio communications system including, but not limited to, the 800 MHz trunking system. Should use of the subject telecom facility cause interference with the City's public safety radio equipment, the applicant shall diligently work with the City to resolve the problem.
- 13. The Telecom Facility shall operate only on those frequencies licensed to it by the FCC and in the FCC license-free radio spectrum.
- 14. The applicant recognizes that the frequencies used by the cellular facility located at 1 Hoag Drive are extremely close to the frequencies used by the City of Newport Beach for public safety. This proximity will require extraordinary "comprehensive advanced planning and frequency coordination" engineering measures to prevent interference, especially in the choice of frequencies and radio ancillary hardware. This is encouraged in the "Best Practices Guide" published by the Association of Public-safety Communications Officials-International, Inc. (APCO), and as endorsed by the Federal Communications Commission (FCC).
- 15. Within 30 days after installation of the telecom facility, a radio frequency (RF) compliance and radiation report prepared by a qualified RF engineer acceptable to the City shall be submitted in order to demonstrate that the facility is operating at the approved frequency and complies with FCC standards for radiation. If the report shows that the facility does not so comply, the use of the facility shall be submitted in order to comply and a new report has been submitted confirming such compliance.
- 16. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments that is staffed and monitored 24 hours per day to ensure continuity on all interference issues, and to which interference problems

may be reported. The name, telephone number, fax number, and e-mail address of the contact center (e.g. the "Network Operations Center") or person shall be provided to the Planning Division and Newport Beach Police Department's Support Services Commander prior to activation of the facility.

- 17. Appropriate information warning signs or plates shall be posted at the access locations and each transmitting antenna. In addition, contact information (e.g. a telephone number) shall be provided on the warning signs or plates to arrange for access to the roof top area. The location of the information warning signs or plates shall be depicted on the plans submitted for construction permits.
- 18. No advertising signage or identifying logos shall be displayed on the telecom facility except for small identification, address, warning and similar information plates. <u>A detail of the information plates depicting the language on the plate shall be included in the plans submitted for issuance of building permits.</u>
- 19. The Telecom Facility shall not be externally illuminated except for permitted night lighting only used when the site is being actively serviced by the applicant or as deemed necessary by the Newport Beach Police Department for security lighting. Tower lights and tower warning lights shall not be permitted unless specifically required by the FCC or the FAA and shown on the plans as approved by the City. The permitted night lighting shall be at the lowest intensity necessary for that purpose and such lighting shall be shielded so that the permitted night lighting does not shine on any nearby properties. Prior to the final of building permits, the applicant shall schedule an evening inspection by the Code Enforcement Division to confirm compliance with this condition.
- 20. The operator of the telecom facility shall maintain the facility in a manner consistent with the original approval of the facility.
- 21. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the applicant, current property owner or leasing agent.
- 22. The applicant shall insure that lessee or other user(s) shall comply with the terms and conditions of this permit, and shall be responsible for the failure of any lessee or other users under the control of the applicant to comply.
- 23. Any operator who intends to abandon or discontinue use of a telecom facility must notify the Planning Division by certified mail no less than 30 days prior to such action. The operator or property owner shall have 90 days from the date of abandonment or discontinuance to reactivate use of the facility, transfer the rights to use the facility to another operator, or remove the telecom facility and restore the site.
- 24. This telecom permit may be modified or revoked by the City Council should they determine that the facility or operator has violated any law regulating the telecom

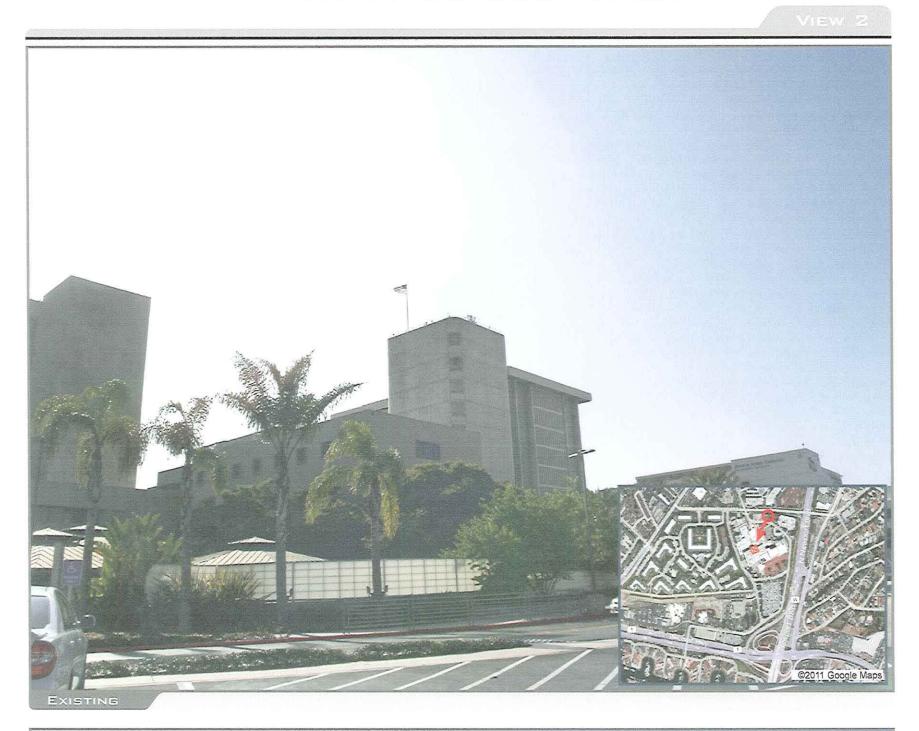
facility or has failed to comply with the requirements of Chapter 15.70 of the NBMC, or this telecom permit.

25. This approval shall expire unless exercised within 24 months from the date of approval.

Attachment No. CDD 3

Photographic Simulations







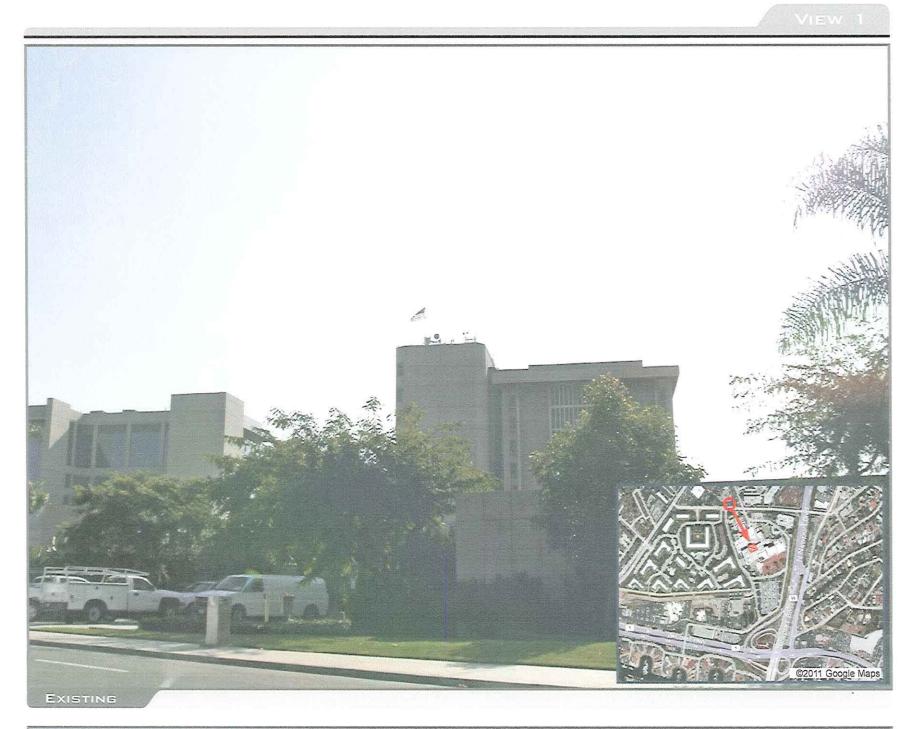
ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



HOAG HOSPITAL

1 HOAG DRIVE NEWPORT BEACH CA 92663







ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

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HOAG HOSPITAL

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ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



1 HOAG DRIVE NEWPORT BEACH CA 92663









ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

Attachment No. CDD 4

Site Plan & Elevations

METROPCS CALIFORNIA, LLC a Delaware limited liability company

LA5700A **HOAG HOSPITAL 1 HOAG DRIVE NEWPORT BEACH, CA 92663**

PROJECT TEAM: PROJECT DESCRIPTION: CODE COMPLIANCE: S ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE FLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES: SHEET: THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTENNAS AND ASSOCIATED EQUIPMENT CABINETS FOR PERSONAL COMMUNICATION SERVICES WIRELESS TELECOMMUNICATIONS NETWORK, A TOTAL OF (6) PANEL ANTENNAS AND (3) 2' DIA, PARABOLIC ANTENNA MOUNTED ON ROOFTOP, (1) EGR PLUG AT GROUND LEVEL AND (4) ROOF EQUIPMENT CABINETS LOCATED INSIDE EXISTING MECHANICAL AREA ON 11TH FLOOR ARE PROPOSED. T-1 TITLE SHEET NAME METROPCS ADDRESS 350 COMMERCE, SUITE 200 CITY, STATE ZIP IRVINE, CA 92602 CONTACT: JAMIE LISLE PHONE: (702) 808-9995 2010 CALIFORNIA ADMINISTRATIVE CODE 6. 2010 CALIFORNIA PLUMBING CODE (CPC) (2008 INTERNATIONAL PLUMBING CODE WITH LS-1 TOPOGRAPHIC SU 2010 CALIFORNIA BUILDING CODE (CBC) (CALIFORNIA AMENDMENTS) (2009 INTERNATIONAL BUILDING CODE WITH 7. ANSI/TIA-222-G LIFE SAFETY CODE NFPA-101 CALIFORNIA AMENDMENTS) 1S-2TOPOGRAPHIC SU CALIFURNIA AMENDERALITY 3. 2010 CALIFORNIA ELECTRICAL CODE (CEC) 3. 2010 CALIFORNIA ELECTRICAL CODE (CEC) 8. LOCAL BUILDING CODE METROPCS 350 COMMERCE, SUITE 200 IRVINE, CA 92602 DAVE BURTON (909) 800-2171 BOUNDARY DETAI (2008 NATIONAL ELECTRICAL CODE WITH CALIFORNIA AMENDMENTS) A-1 9. CITY/COUNTY ORDINANCES 2010 CALIFORNIA ENERGY CODE A-2 EQUIPMENT PLAN 5. 2010 CALIFORNIA MECHANICAL CODE (CMC) (2008 INTERNATIONAL MECHANICAL CODE WITH CALIFORNIA AMENDMENTS) ARCHITECTURAL A-3 **PROJECT INFORMATION: DRIVING DIRECTIONS:** METROPCS 350 COMMERCE, SUITE 200 IRVINE, CA 92602 JAKE MCKELVY (714) 474-6300 DRIVING DIRECTIONS FROM METROPCS CALIFORNIA, LLC. OFFICE: APPLICANT: 1. START OUT GOING NORTHEAST ON COMMERCE TOWARD EL CAMINO REAL. 2. TURN LEFT ONTO EL CAMINO REAL. ZOOM TO THIS STEPAVOID THIS STEP 3. TAKE THE ZND LEFT ONTO JAMBOREE RD. 4. MERCE ONTO L-405 N. 5. MERCE ONTO L-455 S VIA EXIT 9A TOWARD NEWPORT BEACH. 6. TURN RICHT ONTO HOSPITAL RD. 7. TAKE THE IST LEFT ONTO HOAG DR. 8. 1 HOAG DR IS ON THE RICHT. NAME: ADDRESS CITY, STATE ZIP CONTACT: PHONE: METROPCS CALIFORNIA LLC. 350 COMMERCE, SUITE 200 IRVINE, CA 92602 JEFF CLARKE (714) 730-3242 NATIONAL ENGINEERING & CONSULTING, INC. 27 ORCHARD, SUITE 200 LAKE FOREST, CA 20530 (949) 716–9990 (949) 716–9997 **UTILITY PROVIDERS:** POWER COMPANY: CONTACT: SCE MIKE MARSHALL (562) 448-4698 PHONE: TELCO COMPANY: VERIZON CONTACT: ANDRE PELS PHONE: (714) 764-5935 **PROPERTY INFORMATION:** PROPERTY OWNER: HOAG MEMORIAL HOSPITAL ADDRESS: 500 SUPERIOR AVENUE, SUITE 300 CITY, STATE ZIP: NEWPORT BEACH, CA 92663 CONTACT: KAREN TORRES, RPA DIRECTOR, REAL ESTATE PHONE: (949) 764-4451 VICINITY MAP: JURISDICTION: CITY OF NEWPORT BEACH AREA OF CONSTRUCTION: ±124.18 SQ. FT. W 150 St CURRENT ZONING: PC 38 PL38 HOAG MEMORIAL/PRESBYTERIAN PLANNED COMMUNITY DISTRICT TYPE OF CONSTRUCTION: VB OCCUPANCY: APPROVED BY APN: 423-011-30 SITE COORDINATES: LATITUDE 33 37 28.15" NORTH LONGITUDE -117 55 48.91" WEST OWNER: I FASING-ZONING: CONSTRUCTION MANAGER RE ENGINEER PROJECT MANAGER NET OPS: UTILITY COORDINATOR

SITE ACQUISITION:

ZONING:

PHONE:

NAME ADDRESS CITY, STATE ZIP CONTACT:

RF ENGINEER:

 NAME
 METROPCS

 ADDRESS
 350 COMMERCE, SUITE 200

 CITY, STATE ZIP
 IRVINE, CA 92602

 CONTACT:
 JULIO GARCIA

 PHONE:
 (714) 730-2827

CONSTRUCTION MANAGER:

NAME ADDRESS CITY, STATE ZIP CONTACT: PHONE:

SURVEYOR:

NAME ADDRESS CITY, STATE ZIP PHONE: FAX:

ENGINEER:

 NAME
 NATIONAL ENGINEERING & CONSULTING, INC.

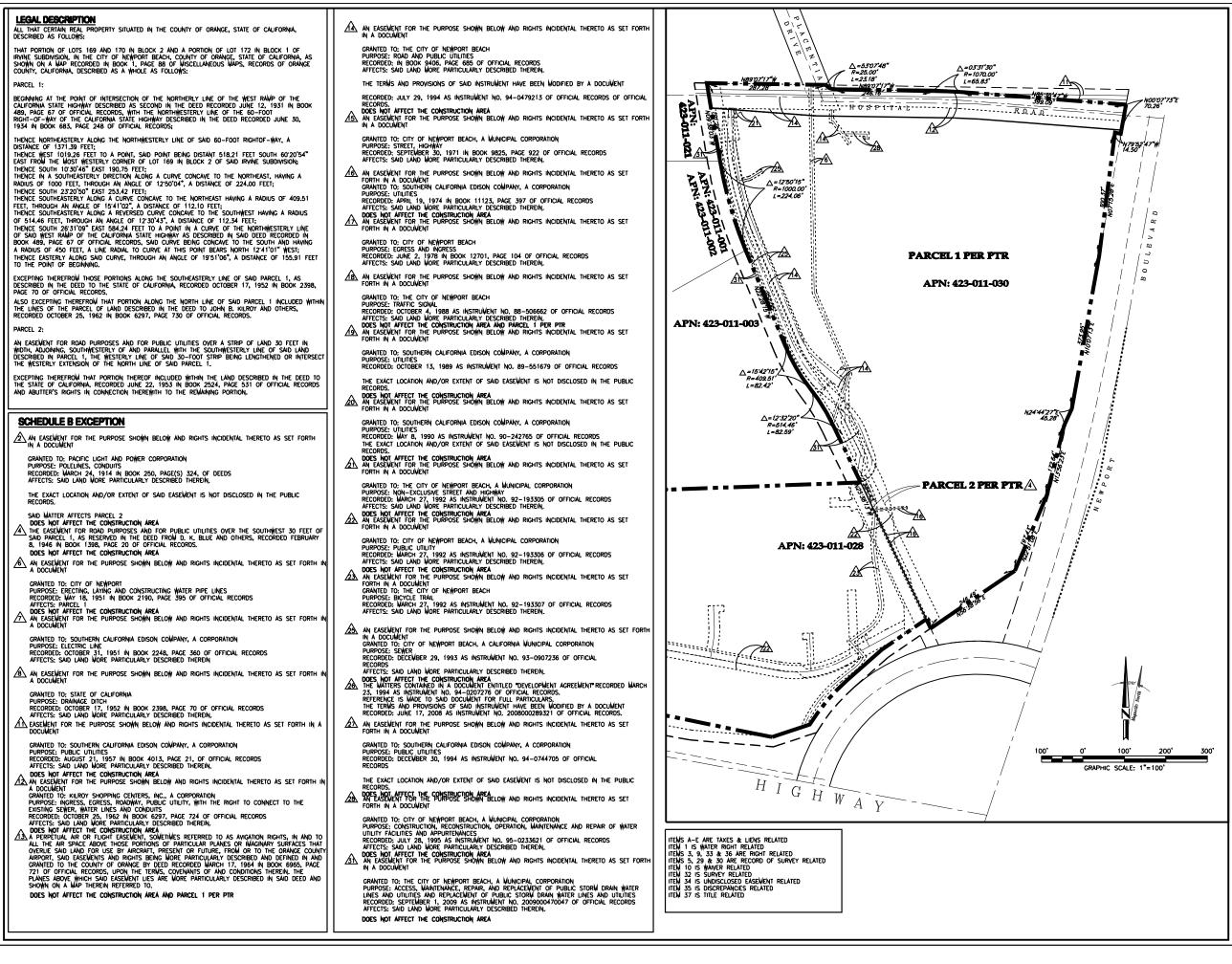
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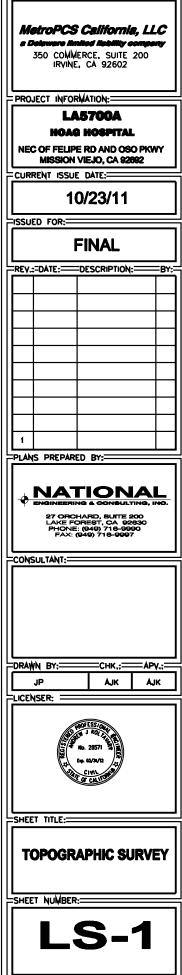
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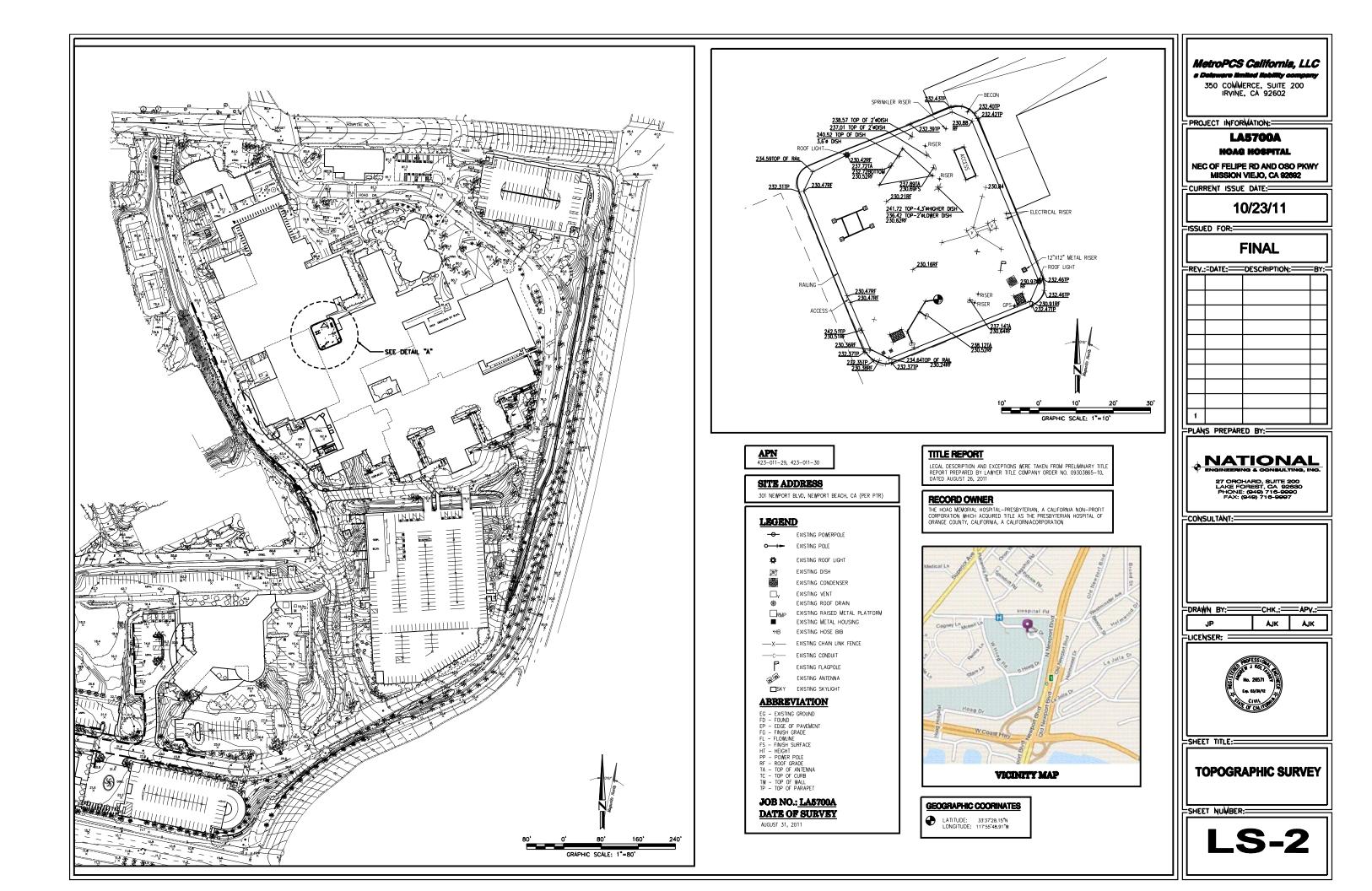
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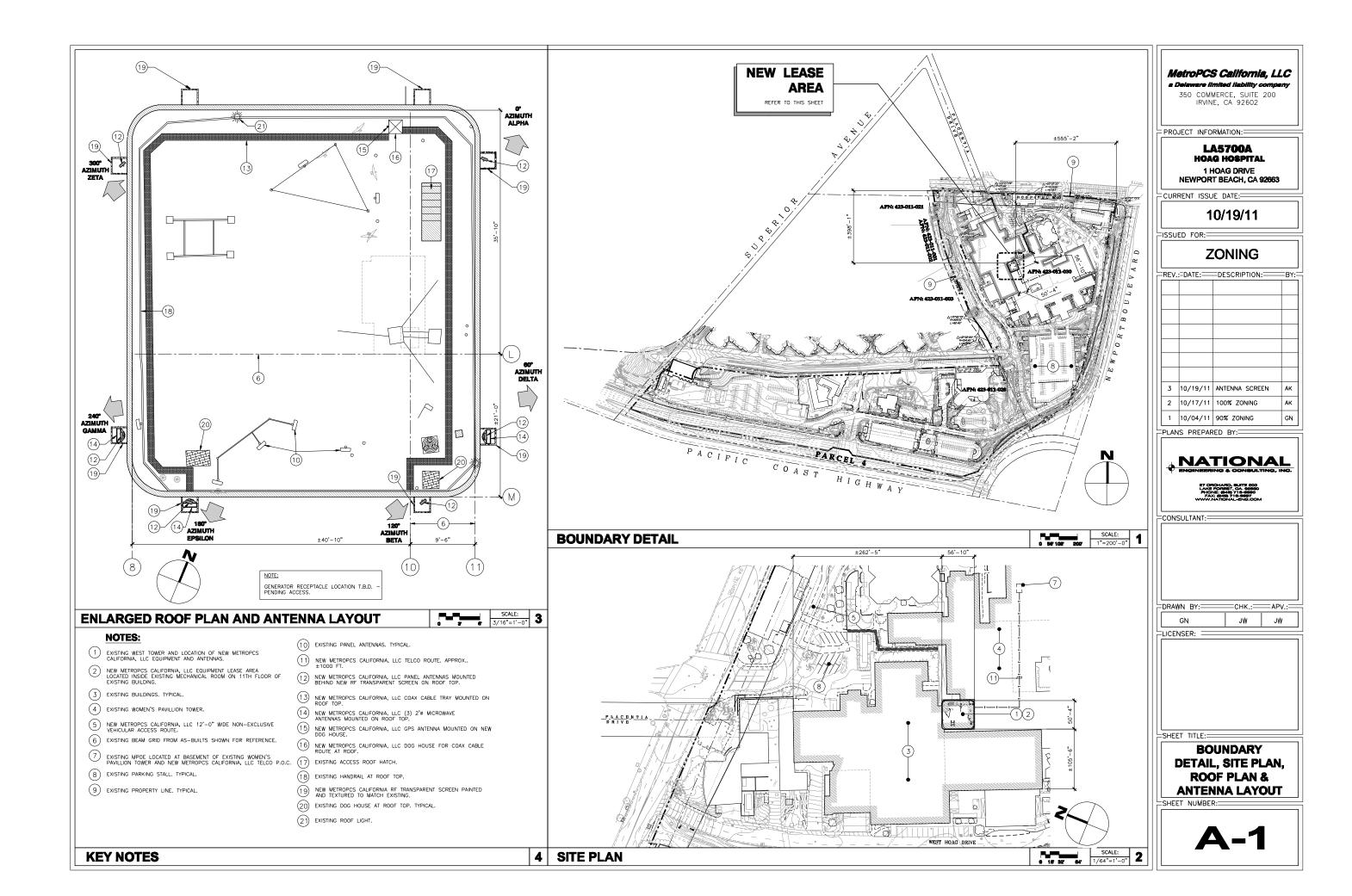
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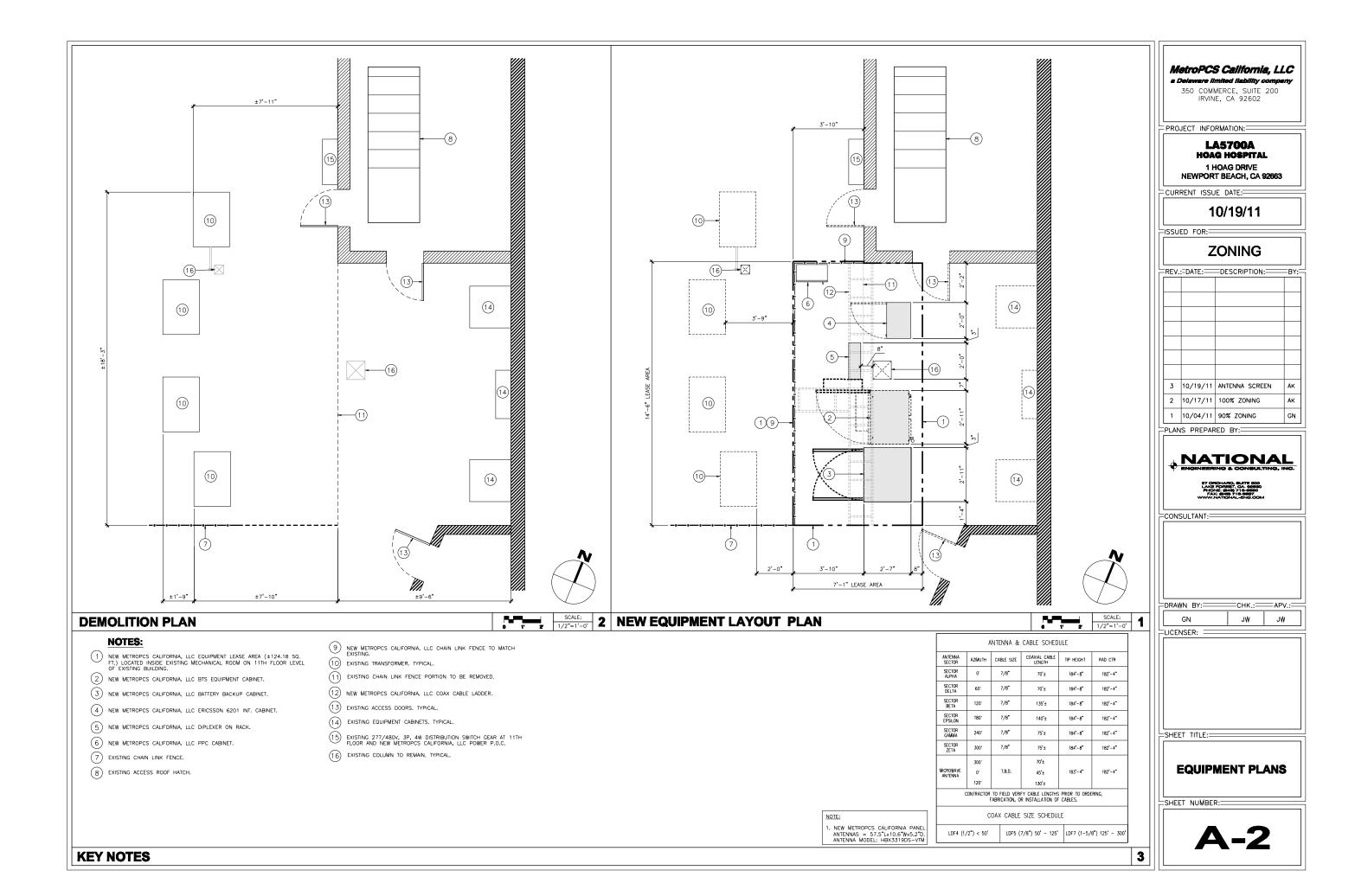
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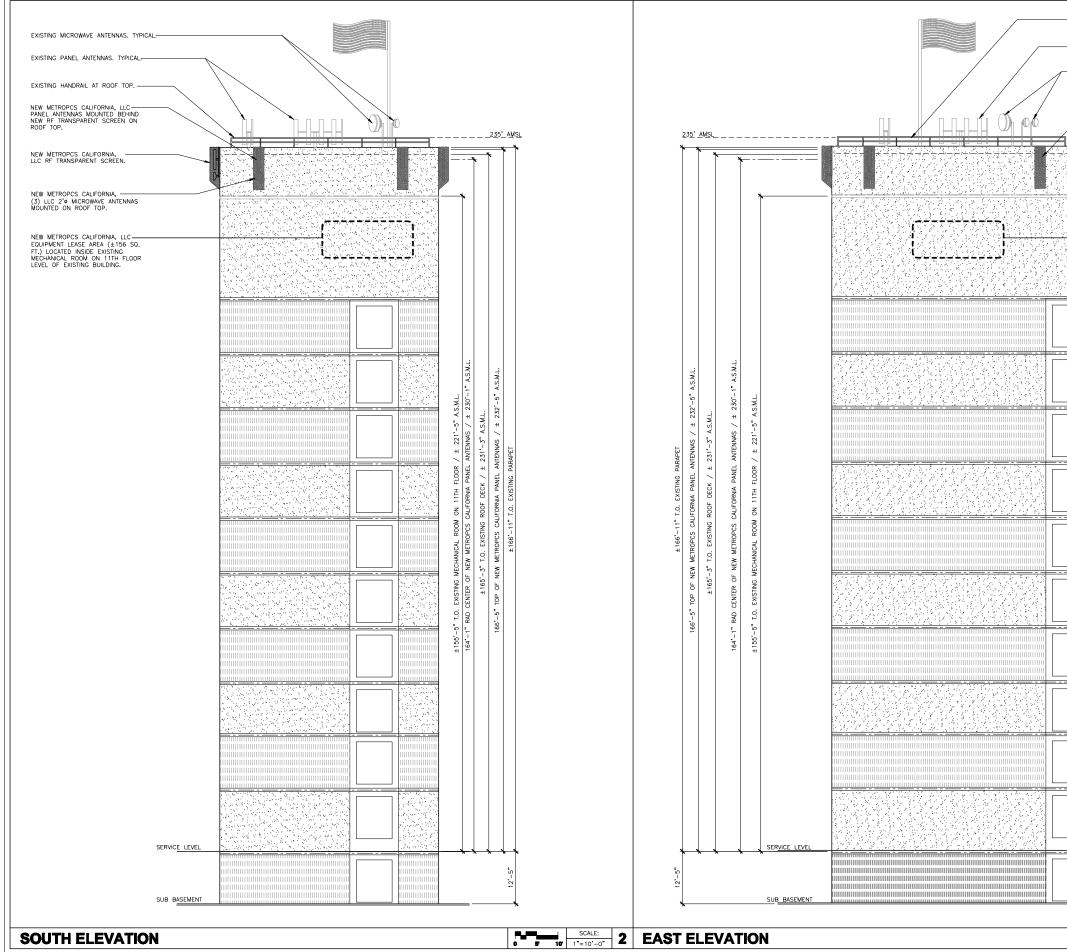












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,		IRVINE, CA 92602
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		1 HOAG DRIVE NEWPORT BEACH, CA 92663
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