TO: CITY COUNCIL AND PLANNING COMMISSION

CC: TOM HATCH, GARY ARMSTRONG, AND CLAIRE FLYNN

FROM: WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR

DATE: MAY 21, 2015

SUBJECT: ZONING ADMINISTRATOR DECISION(S)

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. The decision(s) will become final unless a member of the Planning Commission or City Council requests a review of the decision(s) or an interested party files an appeal by 5:00 p.m. on May 28, 2015. Project descriptions have been kept brief for this notice. As a result, there may be details to the project or conditions of approval that would be of interest to you in deciding whether to request a review of a decision. Please feel free to contact me by e-mail at willa.bouwens-killeen@costamesaca.gov if you have any questions or would like further details.

ZA-14-29 2850 HARBOR BOULEVARD

Minor conditional use permit to install a 60-foot high cellular antenna disguised as a palm tree and related ground-mounted equipment.

Approved, subject to conditions of approval.

Comments received: One inquiry.

ZA-15-07 3140 PULLMAN STREET

Minor conditional use permit to construct a 50-foot tall cellular communication antenna disguised as a eucalyptus tree and related ground-mounted equipment.

Approved, subject to conditions of approval.

Comments received: One inquiry; and

Two in opposition

ZA-15-11 1712 NEWPORT BOULEVARD

Minor conditional use permit to deviate from shared parking requirements based on special operational characteristics for a medical clinic (VeinClinic) to operate in a 2,146 square foot space.

Approved, subject to conditions of approval.

Comments received: None.

STRECKER LAW OFFICES

2600 MICHELSON DRIVE, SUITE 1700 IRVINE, CALIFORNIA 92612 PHONE: (949)852-3600 FACSIMILE: (949)861-9696

May 19, 2015

VIA U.S. MAIL AND ELECTRONIC MAIL

Costa Mesa Zoning Administrator City Hall 77 Fair Drive Costa Mesa, California

Re: <u>Application ZA-15-07</u>

Dear Sirs:

Our firm represents Mr. Jim Horian of Metro Bay Products on various matters in his business. It has come to his attention that Verizon is planning to install a 50' tall cellular communication antenna tower just above his office next door to his property at 3150 Pullman Street. Mr. Horian is unsure if such a device will or will not present a health danger. On behalf of Mr. Horian, we are requesting that your department provide its position on this with evidentiary support, in writing, prior to your upcoming decision and most certainly before its construction.

Apart from the issue of whether it is a health danger, Mr. Horian opposes the construction of the tower as a nuisance as it will interfere with views from his property.

I have been given authorization to request and receive your response.

Very Truly Yours.

Marc S. Strecker

PULLMAN ST PARTNERS, LLC CHRIS WHITTAKER, MEMBER 2100 STUNT ROAD CALABASAS, CA 91302 818-876-0035

May 19, 2015

City of Coast Mesa / Planning Division City Hall 77 Fair Drive Costa Mesa, CA

Attn: Mr. Antonio Gardea

RE: Application No. ZA-15-07 For: 50' Cell Tower at 3140 Pullman St.

Planning Division 714-754-5245

Dear Mr. Gardea,

Pullman St Partners, LLC owns the building located at 3120 Pullman St. right next door to 3140 Pullman St. where the proposed cell tower is to be erected.

We ask that you CATEGORICALLY DENY the above proposed 50 foot Cell Tower Application with all that can be brought to bare for the following reasons.

REASONS for OBJECTIONS:

A. HEALTH: 1) Experiments in Germany have shown that anyone within 400 meters (1,300 feet) will be exposed to CANCER CAUSING ELECTROMAGNETIC EMISSIONS (EMF's) increasing their chances of getting cancer by a factor of three times higher. That's 300% higher chances of getting cancer because of Mr. Millen's Cell Tower emitting Electromagnetic Emissions over our property. Go to: http://emwatch.com/cell-tower-health-risks/

2) Also attached here in is an International Appeal to the United Nations signed by **205 Scientists and Doctors** from all over the world who are worried about the effects EMF on humans. Please see attached article: "Scientists call for Protection from Non-ionizing Electromagnetic Field Exposure" or Go to: https://vimeo.com/123468632

<u>B. FINANCIAL:</u> So the FCC says "Cell Towers Are Safe" and therefore health issues can't be raised to prevent them from being erected near your property.

The problem is that a large portion of the public doesn't think they're safe. But this isn't for us to argue here.

What is to be argued here is that the <u>PUBLIC'S PERCEPTION</u> from years and years of being told that putting a cell phone next to your ear will cause brain cancer has also created the Perception that putting a Cell Tower near you're home would be thousands of times worse than just one cell phone next to your ear.

And this **Public Perception** is why Pullman St Partners, LLC so **strongly objects** to the placement of a Cell Tower so close to our property.

IT WILL CAUSE US IRREPARABLE FINANCIAL HARM!

How could putting a cell tower next to our property do anything other than damage our property's value? Either as a place of work, or in the future as a place to live.

The financial value of our property will be vastly diminished by the construction of Mr. Millen's Cell Tower. It's the <u>PERCEPTION of HEATH RISKS</u> from living next to a Cell Tower that will cause us great financial damage by preventing us from building and more importantly <u>SELLING</u> residences in the future.

The neighborhood will be rezoned into Residential over the next 5 or so years (See 125 E. Baker St. application around the corner from us which is also way closer than 1,300 feet to this tower.) and the Cell Tower would render our property void of the opportunity to build residential domiciles at the loss of a great financial gain to join in on the redevelopment of the area. Also the City of Coast Mesa would not only miss out on the increased tax basis for our property, but also on Millen's, his neighbor's behind him, and on the other side of him.

<u>Here's the Real Question:</u> Would you buy or rent your new home next to Mr. Millen's Cell Tower knowing that your chances of breast cancer, prostate cancer and other types were up to three times greater than down the block?

C. THE RESPONSIBILITY OF GOVERNMENT:

THE CITY OF COSTA MESA, THE PLANNING DIVISION and INDIVIDUALS within these groups should be making these decisions with both eyes on <u>PROTECTING</u> its Citizens from <u>UNNECESSARY</u> Health Risks, Financial Risks, and Financial Reversals caused by their approval of this Cell Tower and therefore should be both held individually and organizationally for gross negligence should they intensionally put us in harms way of physical or financial loss. SEE: "CITY of BERKELEY to require cellphone sellers to warn of possible radiation risks" in attached article in Enclosures.

Yours truly, Chris Whittaker, Member Pullman St Partners, LLC

SIGNED:

Enclosures:

Website Address for the "Effects of Cancer from Cell Towers": http://emwatch.com/cell-tower-health-risks/

Outtake from the article:

Can Cell Towers Cause Cancer?

A study performed by doctors from the German city of Naila monitored 1000 residents who had lived in an area around two cell phone towers for 10 years. During the last 5 years of the study they found that those living within 400 meters (1,300 feet) of either tower had a newly-diagnosed cancer rate three times higher than those who lived further away.

Breast cancer topped the list, but cancers of the prostate, pancreas, bowel, skin melanoma, lung and blood cancer were all increased. Naila Study

EVEN BETTER

"Scientists call for Protection from Non-ionizing Electromagnetic Field Exposure" See this Video from the article above: Dr. Martin Blank of Columbia University / Dangers of EMF's from cell phone towers:

Go to: http://emfscientist.org OR https://vimeo.com/123468632 (either one)

City of Berkeley to require cellphone sellers to warn of possible radiation risks

SEE: http://www.theguardian.com/us-news/2015/may/16/berkeley-california-cellphone-radiation-health-risks



To: His Excellency Ban Ki-moon, Secretary-General of the United Nations Honorable Dr. Margaret Chan, Director-General of the World Health Organization U.N. Member States

International Appeal:

Scientists call for Protection from Non-ionizing Electromagnetic Field Exposure

We are scientists engaged in the study of biological and health effects of non-ionizing electromagnetic fields (EMF). Based upon peer-reviewed, published research, we have serious concerns regarding the ubiquitous and increasing exposure to EMF generated by electric and wireless devices. These include—but are not limited to—radiofrequency radiation (RFR) emitting devices, such as cellular and cordless phones and their base stations, Wi-Fi, broadcast antennas, smart meters, and baby monitors as well as electric devices and infra-structures used in the delivery of electricity that generate extremely-low frequency electromagnetic field (ELF EMF).

Scientific basis for our common concerns

Numerous recent scientific publications have shown that EMF affects living organisms at levels well below most international and national guidelines. Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative impacts on general well-being in humans. Damage goes well beyond the human race, as there is growing evidence of harmful effects to both plant and animal life.

These findings justify our appeal to the United Nations (UN) and, all member States in the world, to encourage the World Health Organization (WHO) to exert strong leadership in fostering the development of more protective EMF guidelines, encouraging precautionary measures, and educating the public about health risks, particularly risk to children and fetal development. By not taking action, the WHO is failing to fulfill its role as the preeminent international public health agency.

Inadequate non-ionizing EMF international guidelines

The various agencies setting safety standards have failed to impose sufficient guidelines to protect the general public, particularly children who are more vulnerable to the effects of EMF.

The International Commission on Non-Ionizing Radiation Protection (ICNIRP) established in 1998 the "Guidelines For Limiting Exposure To Time-Varying Electric, Magnetic, and Electromagnetic Fields

(up to 300 GHz)"¹. These guidelines are accepted by the WHO and numerous countries around the world. The WHO is calling for all nations to adopt the ICNIRP guidelines to encourage international harmonization of standards. In 2009, the ICNIRP released a statement saying that it was reaffirming its 1998 guidelines, as in their opinion, the scientific literature published since that time "has provided no evidence of any adverse effects below the basic restrictions and does not necessitate an immediate revision of its guidance on limiting exposure to high frequency electromagnetic fields². ICNIRP continues to the present day to make these assertions, in spite of growing scientific evidence to the contrary. It is our opinion that, because the ICNIRP guidelines do not cover long-term exposure and low-intensity effects, they are insufficient to protect public health.

The WHO adopted the International Agency for Research on Cancer (IARC) classification of extremely low frequency electromagnetic field (ELF EMF) in 2002³ and radiofrequency radiation (RFR) in 2011⁴. This classification states that EMF is a *possible human carcinogen (Group 2B)*. Despite both IARC findings, the WHO continues to maintain that there is insufficient evidence to justify lowering these quantitative exposure limits.

Since there is controversy about a rationale for setting standards to avoid adverse health effects, we recommend that the United Nations Environmental Programme (UNEP) convene and fund an independent multidisciplinary committee to explore the pros and cons of alternatives to current practices that could substantially lower human exposures to RF and ELF fields. The deliberations of this group should be conducted in a transparent and impartial way. Although it is essential that industry be involved and cooperate in this process, industry should not be allowed to bias its processes or conclusions. This group should provide their analysis to the UN and the WHO to guide precautionary action.

Collectively we also request that:

- 1. children and pregnant women be protected;
- 2. guidelines and regulatory standards be strengthened;
- 3. manufacturers be encouraged to develop safer technology;
- 4. utilities responsible for the generation, transmission, distribution, and monitoring of electricity maintain adequate power quality and ensure proper electrical wiring to minimize harmful ground current;
- 5. the public be fully informed about the potential health risks from electromagnetic energy and taught harm reduction strategies;
- 6. medical professionals be educated about the biological effects of electromagnetic energy and be provided training on treatment of patients with electromagnetic sensitivity;
- 7. governments fund training and research on electromagnetic fields and health that is independent of industry and mandate industry cooperation with researchers;
- 8. media disclose experts' financial relationships with industry when citing their opinions regarding health and safety aspects of EMF-emitting technologies; and
- 9. white-zones (radiation-free areas) be established.

http://www.icnirp.org/cms/upload/publications/ICNIRPemfgdl.pdf

http://www.icnirp.org/cms/upload/publications/ICNIRPStatementEMF.pdf

http://monographs.iarc.fr/ENG/Monographs/vol80

http://monographs.iarc.fr/ENG/Monographs/vol102/

Release date: May 11, 2015

All inquiries, including those from qualified scientists who request that their name be added to the Appeal, may be made by contacting Elizabeth Kelley, M.A., Director, EMFscientist.org, at info@EMFscientist.org.

<u>Note</u>: the signatories to this appeal have signed as individuals, giving their professional affiliations, but this does not necessarily mean that this represents the views of their employers or the professional organizations they are affiliated with.

Updated May 14, 2015

Signatories

SIGNATURE

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- Dr. Bruce Hocking, MD, MBBS, FAFOEM (RACP), FRACGP, FARPS, specialist in occupational medicine; Victoria, Australia
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Dr. Dariusz Leszczynski, Ph.D., Adjunct Professor of Biochemistry, University of Helsinki, Finland; Member of the IARC Working Group that classified cell phone radiation as possible carcinogen.

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Prof. Enrique A. Navarro, Ph.D., Department of Applied Physics and Electromagnetics, University of Valencia, Spain

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Prof. Olle Johansson, Ph.D., Experimental Dermatology Unit, Dept. of Neuroscience, Karolinska Institute, Sweden

Dr. Bertil R. Persson, Ph.D., MD, Lund University, Sweden

Senior Prof. Dr. Leif Salford, MD. Department of Neurosurgery, Director, Rausing Laboratory, Lund University, Sweden

Dr. Fredrik Söderqvist, Ph.D., Ctr. for Clinical Research, Uppsala University, Västerås, Sweden

Switzerland

Dr. nat. phil. Daniel Favre, Association Romande Alert, Switzerland

Turkey

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Associate Prof.Dr. Halil Abraham Atasoy, MD, Pediatrics, Abant Izzet Baysal University, Faculty of Medicine, Turkey

Prof. Ayse G. Canseven (Kursun), Ph.D., Gazi University, Faculty of Medicine, Dept. of Biophysics, Turkey

Prof. Dr. Mustafa Salih Celik, Ph.D., Fmr. Head, Turkish Biophysical Society; Head, Biophysics Dept; Medical Faculty, Dicle Univ., Turkey

Prof. Dr. Suleyman Dasdag, Ph.D., Dept. of Biophysics, Medical School of Dicle University, Turkey

Prof. Omar Elmas, MD, Ph.D., Mugla Sitki Kocman University, Faculty of Medicine, Department of Physiology, Turkey

Dr. Arzu Firlarer, M.Sc. Ph.D., Occupational Health & Safety Department, Baskent University, Turkey

Prof. Suleyman Kaplan, Ph.D., Deputy Chancellor; Dir. Health Services; Head, Dept. Histology & Embryology, Turkey

Dr. Mustafa Nazıroğlu, Ph.D., Biophysics Dept, Medical Faculty, Süleyman Demirel University, Isparta, Turkey

Prof. Dr. Ersan Odacı, MD, Ph.D., Karadeniz Technical University, Medical Faculty, Trabzon, Turkey

Dr. Elcin Ozgur, Ph.D., Biophysics Department, Faculty of Medicine, Gazi University, Turkey

Dr. Cemil Sert, Ph.D., Department of Biophysics of Medicine Faculty, Harran University, Turkey

Prof. Dr. Nesrin Seyhan, B.Sc., Ph.D., Medical Faculty of Gazi University; Chair, Biophysics Dept; Director GNRK Ctr.; Panel Mbr, NATO STO HFM; Scientific Secretariat Member, ICEMS; Advisory Committee Member, WHO EMF, Turkey

Dr. Bahriye Sirav (Aral), PhD., Gazi University Faculty of Medicine, Dept of Biophysics, Turkey

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David Gee, Associate Fellow, Institute of Environment, Health and Societies, Brunel University, UK

Dr. Mae-Wan Ho, Ph.D., Institute of Science in Society, UK

Dr. Isaac Jamieson, Ph.D., Biosustainable Design, UK

Emeritus Professor, Michael J. O'Carroll, PhD., former Pro Vice-Chancellor, University of Sunderland, UK.

Mr. Alasdair Phillips, Electrical Engineer, UK

Dr. Syed Ghulam Sarwar Shah, M.Sc., Ph.D., Public Health Consultant, Honorary Research Fellow, Brunel University London, UK

Dr. Sarah Starkey, Ph.D., UK

Ukraine

Dr. Oleg Banyra, MD, 2nd Municipal Polyclinic, St. Paraskeva Medical Centre, Ukraine

Prof. Igor Yakymenko, Ph.D., D.Sc., Instit. Experimental Pathology, Oncology & Radiobiology, National Academy of Sciences of Ukraine

<u>USA</u>

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Prof. David O. Carpenter, MD, Director, Institute for Health and the Environment, University of New York at Albany, USA

Prof. Prof. Simona Carrubba, Ph.D., Biophysics, Daemen College, Women & Children's Hospital of Buffalo Neurology Dept., USA

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Prof. Beatrice Golomb, MD, Ph.D., University of California at San Diego School of Medicine, USA

Dr. Martha R. Herbert, MD, Ph.D., Harvard Medical School, Harvard University, USA

Dr. Donald Hillman, Ph.D., Professor Emeritus, Michigan State University, USA

Elizabeth Kelley, MA, Fmr. Managing Secretariat, ICEMS, Italy; Director, EMFscientist.org, USA

Dr. Henry Lai, Ph.D., University of Washington, USA

B. Blake Levitt, medical/science journalist, former New York Times contributor, EMF researcher and author, USA

Dr. Albert M. Manville, II, Ph.D. and C.W.B., Adj. Professor, Johns Hopkins University's Krieger Graduate School of Arts & Sciences; Migratory Bird Management, U.S. Fish & Wildlife Service, USA

Dr. Andrew Marino, J.D., Ph.D., Retired Professor, LSU Health Sciences Center, USA

Dr. Marko Markov, Ph.D., President, Research International, Buffalo, New York, USA

Dr. Jeffrey L. Marrongelle, DC, CCN, President/Managing Partner of BioEnergiMed LLC, USA

Dr. Samuel Milham, MD, MPH, USA

L. Lloyd Morgan, Environmental Health Trust, USA

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Dr. Jerry L. Phillips, Ph.D. University of Colorado, USA

Dr. William J. Rea, M.D., Environmental Health Center, Dallas, Texas, USA

Camilla Rees, CEO, Electromagnetichealth.org; CEO, Wide Angle Health, LLC, USA

Prof. Narenda P. Singh, MD, University of Washington, USA

Prof. Eugene Sobel, Ph.D., Retired, School of Medicine, University of Southern California, USA

David Stetzer, Stetzer Electric, Inc., Blair, Wisconsin, USA

Dr. Lisa Tully, Ph.D., Energy Medicine Research Institute, Boulder, CO, USA

8

From: Les Mayfield III Imayfield@me.com &

Subject: City of Berkeley to require cellphone sellers to warn of possible radiation risks I US news I The Guardian

Date: May 16, 2015 at 8:05 PM

To: Christian Whittaker christianwhittaker@mac.com

For your letter!

LM

http://www.thequardian.com/us-news/2015/may/16/berkeley-california-cellphone-radiation-health-risks

City of Berkeley to require cellphone sellers to warn of possible radiation risks



Berkeley lawmakers voted this week to require cellphone retailers to provide customers with a notice on the potential health hazards of carrying their device too close to their bodies, making the progressive <u>California</u> city the first in the nation to have wireless warnings if the law is allowed to go into effect in July.

"It's an important right-to-know issue," said Berkeley mayor Tom Bates, who voted in favor of the measure. "It's really just a note of caution."

Currently, most wireless-capable devices such as smart phones carry FCC-mandated safety recommendations on how close to the skin the devices should be kept. It's suggested that users keep most models at a distance of 5 to 25mm to limit radiation exposure to safe levels.

But those notices are often buried deep inside manuals and online instructions, leaving most consumers unaware they even exist.

A poll of Berkeley residents conducted in April found that while 74% of respondents carried their phones in a pocket – considered close contact – 66% were unaware that cell phone manufacturers recommend the products be carried away from the body or used in conjunction with hands-free devices.

The Berkeley ordinance would require sellers to post the safety information in public view and hand out a separate flyer to buyers who purchase or lease a phone.

"To assure safety, the Federal Government requires that cell phones meet radio frequency (RF) exposure guidelines," it reads. "If you carry or use your phone in a pants or shirt pocket or tucked into a bra when the phone is ON and connected to a wireless network, you may exceed the federal guidelines for exposure to RF radiation. This potential risk is greater for children. Refer to the instructions in your phone or user manual for information about how to use your phone safely."

Berkeley's action comes the same week that <u>emfscientist.org</u>, a group of 190 scientists from 39 countries, released an open letter on the potential dangers of electromagnetic fields and wireless technology, calling for impartial study on the topic from the United Nations and the World <u>Health</u> Organization.

"Numerous recent scientific publications have shown that EMF affects living organisms at levels well below most international and national guidelines," that letter read in part. "Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative impacts on general well-being in humans."

Children and pregnant women might face the highest risks, according to Dr Joel Moskowitz, director of the Center for Family and Community Health at the University of California at Berkeley. Moskowitz both signed the EMF letter and helped craft the Berkeley ordinance. "Five-year-olds absorb at least twice as much radiation (from cellphone contact) as the adult brain," he said.

But the science around wireless devices remains controversial. CTIA – The Wireless Association, a trade group for the industry, opposed the Berkeley ordinance as pushing inaccurate information on consumers.

"This proposal fails to provide information grounded in science or sound policy, thus misleading consumers and eroding confidence in government," wrote Gerard Keegan, senior director of external and state affairs for CTIA, in a letter to Berkeley's city council.

Moskowitz counters that science often requires time to make connections between hazards and health, and that too often studies are commissioned by the industries they affect. "We have seen so many examples of what you could say is interested science turn out to be bad science – tobacco, asbestos, lead," he says. "The list is endless. Then all of the sudden there is scientific evidence saying it is not safe."

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Moskowitz added that the Berkeley law is specifically crafted to avoid any debate over the actual safety of wireless devices. Instead, it "narrowly" focuses on making buyers aware of the fine print most often fail to read.

"It's about disclosure, period," he said. "It's about trying to get people to see the actual safety information that the cellphone manufacturers put out. The industry has been very successful about hiding or burying these truths and spinning doubt about it."

That distinction will be critical to defending the new law in court, according to Harvard law professor Lawrence Lessig, one of its authors.

Lessig said that Berkeley waited to pass the law while the fate of a similar proposal in San Francisco was decided in court. In the San Francisco ordinance, retailers would have been required to go beyond the existing warnings included in manufacturers' materials and add "that there was something dangerous about their cellphone and they should use their cellphone less", said Lessig.

San Francisco dropped the ordinance after losing a legal challenge by the CTIA. Six other states have also considered some sort of disclosure regulations, but currently, none have passed. Lessig said that if the Berkeley law stand up, "then I do think it will be a model" for other jurisdictions.

The ordinance must have a second reading by the city council on 26 May. If it passes, the new law would go into effect 30 days later, barring legal challenges.

While Berkeley mayor Bates says he anticipates the CTIA "will sue us", he feels confident "our ordinance that we are proposing is one that will stand up" in court.

"All we are doing is saying a principle about how you should be carrying your cellphone," said Lessig. "You could think the debate that cellphones are dangerous is complete malarkey but still agree you should not carry your cellphone against your body."

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CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

May 21, 2015

Ross Miletich Core Development Services 2749 Saturn Street Brea, CA 92821

RE:

ZONING APPLICATION ZA-14-29

MINOR CONDITIONAL USE PERMIT FOR A WIRELESS COMMUNICATION

FACILITY DESIGNED AS A PALM TREE (MONOPALM)

2850 HARBOR BOULEVARD, COSTA MESA

Dear Mr. Miletich:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on May 28, 2015, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Chelsea Crager, at 714.754.5609, or at chelsea.crager@costamesaca.gov.

Sincerely.

WILLA BOUWENS-KILLEEN, AICP

Zoning Administrator

Attachments:

Project Description and Analysis

Findings

Conditions of Approval, Code Requirements, and Special District

Requirements

Approved Conceptual Plans

CC:

Engineering

Fire Protection Analyst Building Safety Division

PROJECT DESCRIPTION

The subject property is located on the east side of Harbor Boulevard, north of Adams Avenue. The property is zoned C1 (Local Business) with a General Plan land use designation of General Commercial. There are two points of ingress/egress on Harbor Boulevard. The property is surrounded by C1 properties to the north, south, and west across Harbor Boulevard. To the east of the subject property is a P (Off-street Parking) zoned property. The Camden Martinique Apartments, zoned PDR-HD (Planned Development Residential. High Density), are located to the northeast of the subject property, though are not directly adjacent.

Previous Entitlements

The subject property currently contains a Nissan auto dealership, approved in 1998 under Conditional Use Permit PA-98-09. Also in 1998, Conditional Use Permit PA-98-36 was approved for automobile repair at the subject property.

Proposed Project

The applicant proposes to install a 60-foot tall wireless communication facility designed as a palm tree (monopalm) and related equipment cabinets. The monopalm and equipment cabinets are proposed to be located at the northwest corner of the property in a 625 square foot lease area directly abutting the commercially-zoned auto dealership to the north and parking lot to the east. Four palm trees are proposed to further camouflage the monopalm from the surrounding views, especially the nearby residential property: two to the north of the lease area, and two to the east.

A minor conditional use permit (MCUP) is required because Code allows a 30-foot height maximum for communication antennas unless approved for excess height through an MCUP.

ANALYSIS

Parking and Circulation

The proposed lease space for the monopalm is in the northeast corner of the subject property in a 25-foot by 25-foot space not previously used for parking. The monopalm and all related equipment cabinets will be placed within this space, so it will not affecting parking or onsite circulation.

Visual Impacts

The monopalm is visible to nearby commercial and residential properties. To mitigate the visual impacts of the 60-foot pole, it is designed as a palm tree. Four palm trees will be planted around the lease area (two to the north and two to the east) that will further camouflage the monpalm from surrounding views, especially the residential property to the northeast.

ZA-14-29 May 21, 2015 Page 3 of 6

General Plan Consistency

The General Commercial General Plan land use designation is intended to permit a wide range of commercial uses to serve local and regional needs; this service is compatible with this designation. Specifically, the project complies with Community Design Element Objective CD-1A.5 in that the facility is screened to minimize visual impacts by being camouflaged as a palm tree.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:
 - 1. The proposed use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The antennas and support pole will be camouflaged in the form of a palm tree, and will be further camouflaged with live palms planted in its immediate vicinity.
 - 2. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. The project is conditioned not to exceed ANSI/IEEE standards and not to interfere with the frequencies used by the City for public safety purposes.
 - 3. Granting the conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation and any applicable specific plan for the property. The antennas will be camouflaged and, therefore, not readily visible to nearby commercial or residential properties, which complies with Community Design Element Objective CD-1A.5.
- B. The information presented complies with Costa Mesa Municipal Code Section 13-29(e) in that:
 - 1. There will be a compatible and harmonious relationship between the proposed building and the site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. The monopalm is designed as a palm tree and is further camouflaged from nearby properties with live palm trees planted to the north and east of the lease area.
 - 2. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries, and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation have been considered. The proposed lease area does not interfere with onsite parking or circulation.

- 3. The project complies with performance standards described elsewhere in the Zoning Code, and is conditioned to operate as described in this staff report.
- 4. The project is consistent with the General Plan in that the project is supportive of uses permitted under the General Commercial land use designation of the property and does not adversely affect surrounding uses. Specifically, the project complies with Community Design Element Objective CD-1A.5 in that the monopalm is camouflaged from nearby properties by its design as a palm tree and with live palm trees.
- 5. This zoning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15303, New Construction, of the CEQA Guidelines.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

Ping.

- 1. The antennas and support pole shall be camouflaged in the form of a palm tree. Materials shall resemble texture and color of live palm trees.
- 2. The antennas shall be painted an appropriate color to match the fronds of the palm tree.
- 3. Any future additions or modifications to the equipment or antennas shall be done with approval of the Development Services Department and may require filing and approval of a minor conditional use permit.
- 4. The working drawings shall clearly delineate any wiring and methods of screening.
- 5. The antennas, dishes, and all associated equipment shall be completely removed upon discontinuance of use. The applicant shall notify the Planning Division when this occurs and obtain the necessary demolition permits to remove the wireless facility and associated equipment.
- 6. At all times, the applicant shall not prevent the City of Costa Mesa from having adequate spectrum capacity on the City's 800 MHz radio frequency.
- 7. The applicant shall provide a 24-hour phone number to which interference problems may be reported.
- 8. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all interference issues. The name, telephone number, fax number, and email address of

- that person shall be provided to the City's designated representative upon activation of the facility.
- 9. The conditions of approval and Code requirements of Zoning Application ZA-14-29 shall be blueprinted on the face of the site plan.
- 10. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and Code requirements have been satisfied.
- 11. A copy of the conditions of approval for the minor conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
- 12. The applicant shall design the branches of the monopalm such that they extend past the length of the antenna panels and related equipment, so as to achieve a more natural appearance of a palm tree. Details of this design shall be reflected on the site plan and elevations.
- 13. All equipment cabinets, antennas, wring, cables, and conduit shall be well maintained and kept in good condition at all times. Any broken, damaged, faded, and exposed material shall be replaced and approved by the Development Services Department prior to installation.
- 14. Maximum height of the monopalm may not exceed 60 feet measured from property grade.
- 15. Environmental radio frequency radiation generated by the antennas shall not exceed ANSI/IEEE standards.

CODE REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

Plng.

- 1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining building permits for the authorized construction and initiates construction. If the applicant is unable to obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.
- 2. All construction-related activity shall be limited to between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 9 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from offsite, such as painting and other quiet interior work.
- 3. Antennas shall comply with the Antenna Development Standards in Section 13-142 of the Costa Mesa Zoning Code.

ZA-14-29 May 21, 2015 Page 6 of 6

Bldg. 4. Comply with the requirements of the following adopted codes Code, 2013 California Building Code, 2013 California Electrical code, 2013 California Mechanical code, 2013 California Green Building Standards Code and 2013 California Energy Code (or the applicable adopted, California Residential Code, California Building code, California Electrical code, California Mechanical code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.

Bus. Lic. 5. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections will not be granted until all such licenses have been obtained.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- AQMD 1. Applicant shall contact the Air Quality Management District at (800) 288-7664 for potential additional conditions of development or for additional permits required by the district.
- CDFA 2. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA for information.



PETERSON (NSB) 2850 HARBOR BOULEVARD COSTA MESA, CALIFORNIA 92626

SPECIAL INSPECTIONS

LEGAL DESCRIPTION

PORTION OF OF PARCEL MAP NO. 79-379, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, FILED IN BOOK 135, PAGES 26 & 27, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

- CONCRETE
 BOLTS INSTALLED IN CONCRETE
 BOLTS INSTALLED IN CONCRETE
 CONCRETE MOMENT-RESISTING SPACE FRAME
 REINFORCING STEEL AND PRESTRESSING STEEL
 1 ALL STRUCTURAL WELDING
 2 WELD TESTING DUCTILE MOMENT-RESISTING STEEL FRAME
 3. WELDING REINFORCING STEEL
 HIGH-STRENGTH BOLTING
 STRUCTURAL MASONEY
 REINFORCED GYPSUM CONCRETE
 INSULATING CONCRETE FILL
 1 SPRAY-APPLIED FIREPROOFING
 DEEP FOLNDATIONS (PILING, DRILLED & CAISSONS)
 2 SHOTCRETE

13.1	VERIFY SOIL CONDITIONS ARE SUBSTANTIALLY IN
	CONFORMANCE WITH THE SOIL INVESTIGATION REPOR
13,2	VERIFY THAT FOUNDATION EXCAVATIONS EXTEND TO
	PROPER DEPTH AND BEARING STRATA
133	DROWINE SOUL COMPACTION TEST DESILITS DEPTH (

- 13.3 PROVIDE SOIL COMPACTION TEST RESULTS, DEPTH OF FILL, RELATIVE DENSITY, BEARING VALUES
 13.4 PROVIDE SOIL EXPANSION TEST RESULTS, EXPANSION INDEX, RECOMMENDATIONS FOR FOUNDATIONS, ONGRADE FLOOR SLAB DESIGN FOR EACH BUILDING SITE
 4 SMOKE CONTROL SYSTEM
 5 SPECIAL CASES (DESCRIBE)
 16 OFF-SITE FABRICATION OF BUILDING COMPONENTS
 17 OTHER SPECIAL INSPECTIONS AS REQUIRED BY
 DESIGNER

NO.	DESCRIPTION OF TYPE OF INSPECTION REQUIRED, LOCATION, REMARKS.



CONSULTANT TEAM

LEASING:

CORE DEVELOPMENT SERVICES 2749 SATURN STREET BREA, CALIFORNIA 92821 PHONE: (714) 329-1566 CONTACT: CHELSEY NEWSOME

ZONING:

CORE DEVELOPMENT SERVICES 2749 SATURN STREET BREA, CALIFORNIA 92821 PHONE: (714) 319-7875 CONTACT: ROSS MILETICH

ARCHITECT:

JEFFREY ROME & ASSOCIATES 131 INNOVATION DRIVE

SUITE: 100 IRVINE. CALIFORNIA 92617 PHONE: (949) 760-3929 FAX: (949) 760-3931 CONTACT: MARTIN DOUBEK

SURVEYOR:

CALVADA SURVEYING, INC. 411 JENKS CIRCLE

PHONE: (951) 280-9960 FAX: (951) 280-9746

DRIVING DIRECTIONS

DIRECTIONS FROM VERIZON WIRELESS OFFICE: HEAD SOUTHWEST ON SAND CANYON AVENUE TOWARD BARRANCA PARKWAY, SLIGHT RICHT AND MERGE ONTO 1-405 NORTH, TAKE THE FAIRVIEW ROAD EXIT TOWARD HARBOR BOULEVARD, FOLLOW SIGNS FOR FAIRVIEW ROAD, KEEP LETF AT THE FORK, FOLLOW SIGNS FOR ORANGE COAST COLLEGE, TURN LEFT ONTO FAIRVIEW ROAD, TURN RIGHT ONTO ADAMS AVENUE, TURN RIGHT ONTO HARBOR BOULEVARD, 2828 WILL BE ON THE RIGHT.

PROJECT SUMMARY

APPLICANT:

VERIZON WIRELESS 15505 SAND CANYON AVENUE IRVINE, CALIFORNIA 92618 PHONE: (949) 286-8747 CONTACT: YVONNE AUTRY

OWNER

CONNELL ACCEPTANCE CORPORATION 2850 HARBOR BOULEVARD
COSTA MESA, CALIFORNIA 92626
PHONE: (714) 546–1200
CONTACT: WAYNE DODDRIDGE

PROJECT DESCRIPTION/SCOPE:

VERIZON WIRELESS PROPOSES TO CONSTRUCT, OPERATE AND MAINTAIN AN UNMANNED WIRELESS COMMUNICATIONS FACILITY. THIS FACILITY WILL CONSIST OF THE FOLLOWING:

• (1) PROPOSED 60'-0" HIGH MONOPALM.

• (12) PROPOSED ANTENNAS MOUNTED ON PROPOSED MONOPALM. • (12) PROPOSED RRU'S WITH (12) A2 MODULES MOUNTED BEHIND

PROPOSED PANEL ANTENNAS • PROPOSED SURGE SUPPRESSOR SYSTEM

PROPOSED STAND-BY GENERATOR.

• (2) PROPOSED EQUIPMENT CABINETS.

• (2) PROPOSED BATTERY CABINETS

• (1) PROPOSED GPS ANTENNA (4) PROPOSED SERVICE LIGHTS.

PROPOSED UTILITY RUNS FOR TELEPHONE AND ELECTRICAL SERVICE.

PROPOSED B'-0" HIGH CHAIN LINK FENCE ENCLOSURE;

• (4) PROPOSED LIVE PALM TREES

PROJECT ADDRESS:

ASSESSORS PARCEL NUMBER:

2850 HARBOR BOULEVARD COSTA MESA, CALIFORNIA 92626

EXISTING ZONING: C1 (LOCAL BUSINESS)

PROPOSED PROJECT AREAS

PROPOSED TYPE OF CONSTRUCTION: TYPE V-B

TYPE V-B

CITY OF COSTA MESA

141-362-01

625 SF

SHEET INDEX

T-1 TITLE SHEET

FNLARGED SITE PLAN

A-1.1 AND ANTENNA SCHEDULE AND SPECS

A-2 ELEVATIONS

APPLICABLE CODES

ALL WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES:

CALIFORNIA FIRE CODE, 2013 EDITION
CALIFORNIA BUILDING CODE, 2013 EDITION
CALIFORNIA PLUMBING CODE, 2013 EDITION
CALIFORNIA MECHANICAL CODE, 2013 EDITION
CALIFORNIA ELECTRICAL CODE, 2013 EDITION
CALIFORNIA GREEN BUILDING CODE, 2013 EDITION

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL

ACCESSIBILITY DISCLAIMER

THIS PROJECT IS AN UNOCCUPIED WIRELESS PCS TELECOMMUNICATIONS FACILITY AND, ACCORDING TO WRITTEN INTERPRETATION FROM THE CALIFORNIA DEPARTMENT OF THE STATE ARCHITECT, IS EXEMPT FROM DISABLED ACCESS REQUIREMENTS.

SCALE

THE DRAWING SCALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE ONLY WHEN THESE DRAWINGS ARE PRINTED IN $24^{\prime\prime}\!X36^{\prime\prime}$ FORMAT, IF THIS DRAWING SET I NOT $24^{\prime\prime}\!X36^{\prime\prime}$, THIS SET IS NOT TO SCALE,

A-0 OVERALL SITE PLAN

ENLARGED FOUIPMENT PLAN, ANTENNA PLAN

A-2.1 ELEVATIONS

TOPOGRAPHIC SURVEY

2850 HARBOR BOLLEVARD COSTA MESA, CALIFORNIA 92626

PETERSON

DRAWING DATES

PRELIMINARY ZD REVIEW (P1) 100% ZD'S (P2) MONOPALM (P3) ACCESS EASEMENT ADDED (P4) PLANNING COMMENTS (P5) RELOCATE LIVE PALMS (P6)

Jeffrey Rome ASSOCIÁTES

131 Innovation Drive, Suite 100 Irvine, California 92617 tel 949.760.3929 | fax 949.760_3931

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

PREPARED FOR

verizon wireless

APPROVALS.

CONSTRUCTION

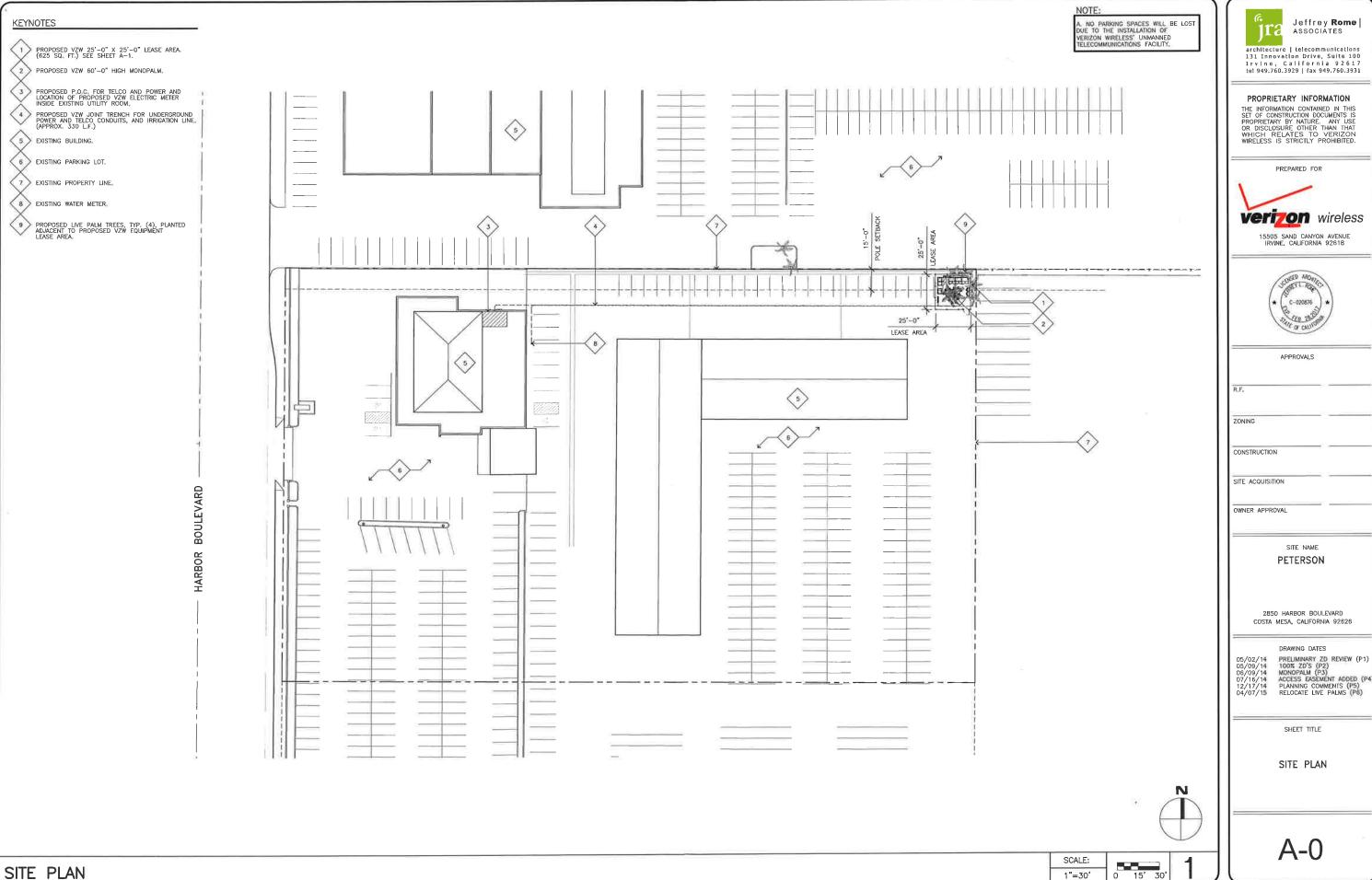
SITE ACQUISITION

OWNER APPROVAL

SHEET TITLE

TITLE SHEET

T-1



Jeffrey Rome ASSOCIÁTES

architecture | telecommunications 131 Innovation Drive, Suite 100 1rvine, California 9 2 6 1 7 tel 949.760.3929 | fax 949.760.3931

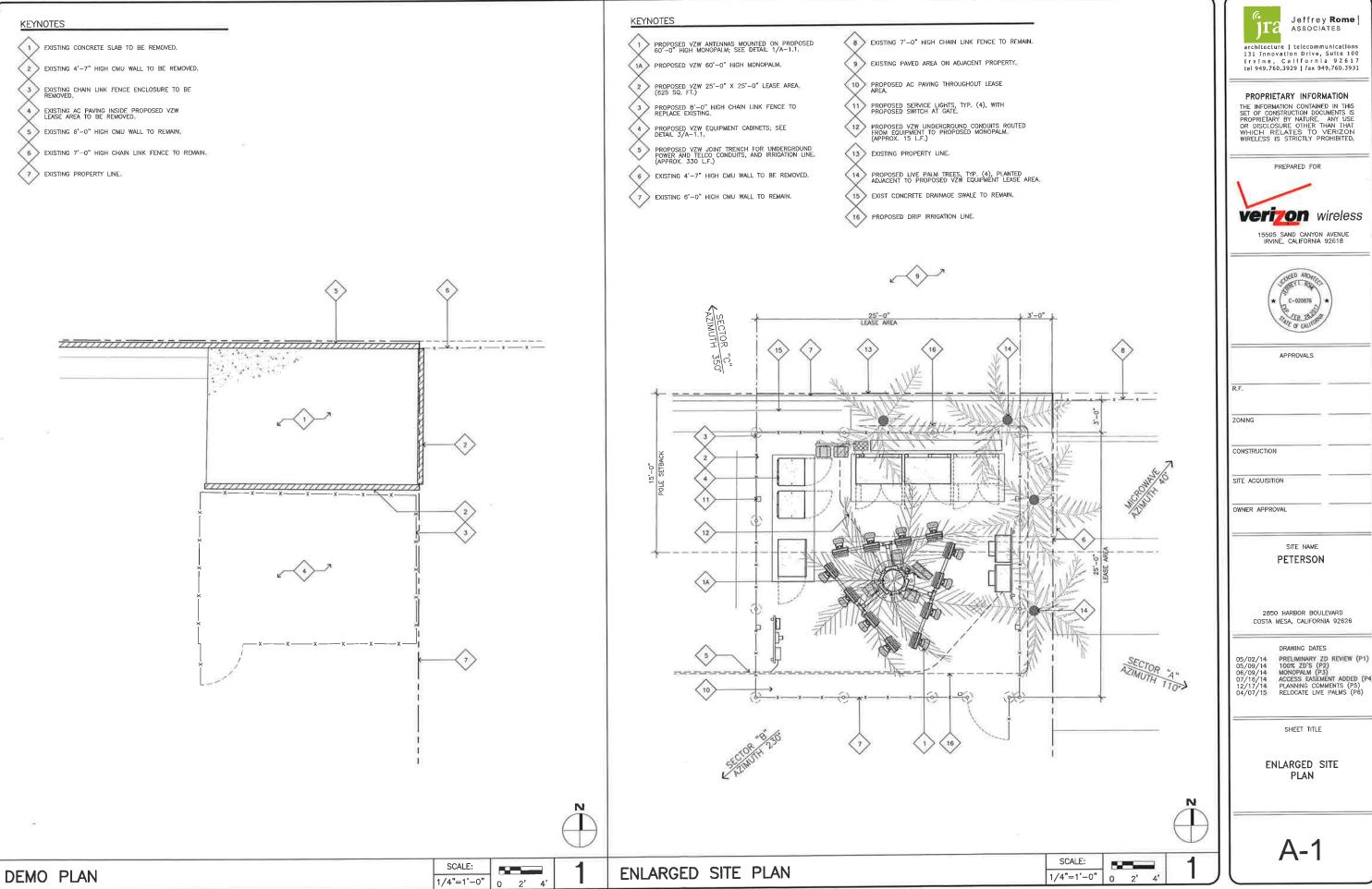
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15505 SAND CANYON AVENUE IRVINE, CALIFORNIA 92618



2850 HARBOR BOULEVARD



Jeffrey Rome

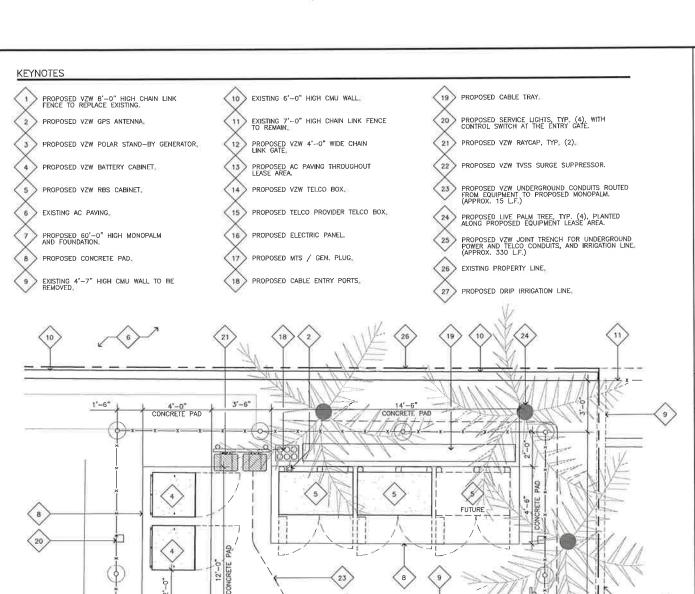
architecture I telecommunications 131 Innovation Drive, Sulte 100 Irvine, California 9 2 6 1 7 tel 949.760,3929 | fax 949,760.3931

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2850 HARBOR BOULEVARD



		ANTEN	NA / CA	ABLE SC	HEDULE	-	
SECTOR	QUANTITY	AZIMUTH	RAD CENTER OF ANTENNA	COAX	EST. LENGTH	TX/RX	DNTLT.
ALPHA	4	110°	53"	7/8"/ HYBRID	75'	TBD	0,
BETA	4	230°	53'	7/8"/ HYBRID	75'	TBD	0,
GAMMA	4	350°	53'	7/8"/ HYBRID	75'	TBD	0,

ANTENNA SCHEDULE SPECIFICATIONS NONE KEYNOTES PROPOSED VZW ANTENNAS, TYP. (4) PER SECTOR, (12) TOTAL, MOUNTED TO PROPOSED 60'-0" HIGH MONOPALM. (1A) PROPOSED VZW 60'-0" HIGH MONOPALM. PROPOSED VZW RRU'S, TYP. (4) PER SECTOR, (12) TOTAL. PROPOSED VZW SURGE SUPPRESSORS, (3) TOTAL. PROPOSED VZW MICROWAVE ANTENNAS, BELOW. 5 DRIPLINE OF MONOPALM FRONDS.

Jeffrey Rome

architecture | telecommunications 131 Innovation Drive, Suite 100 Irvine, California 9 2 6 17 tel 949.760.3929 | fax 949.760.3931

PROPRIETARY INFORMATION

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PREPARED FOR



15505 SAND CANYON AVENUE IRVINE, CALIFORNIA 92618



APPROVALS

SITE ACQUISITION

OWNER APPROVAL

SITE NAME PETERSON

2850 HARBOR BOULEVARD COSTA MESA, CALIFORNIA 92626

DRAWING DATES

PRELIMINARY ZD REVIEW (P1) 100% ZD'S (P2) MONOPALM (P3) ACCESS EASEMENT ADDED (P4 PLANNING COMMENTS (P5) RELOCATE LIVE PALMS (P6)

SHEET TITLE

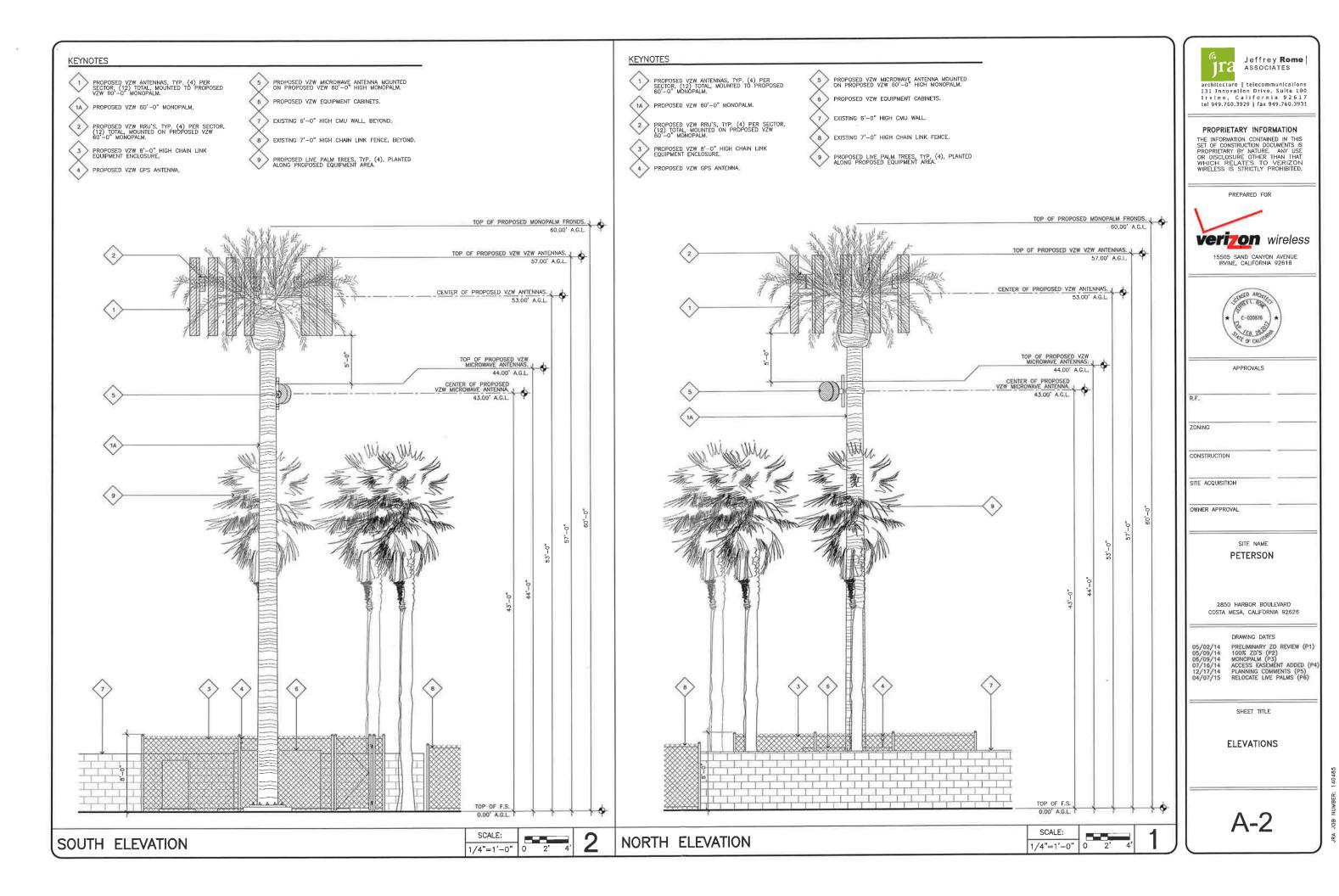
ENLARGED EQUIPMENT PLAN, ANTENNA PLAN, AND ANTENNA SCHEDULE SPECS

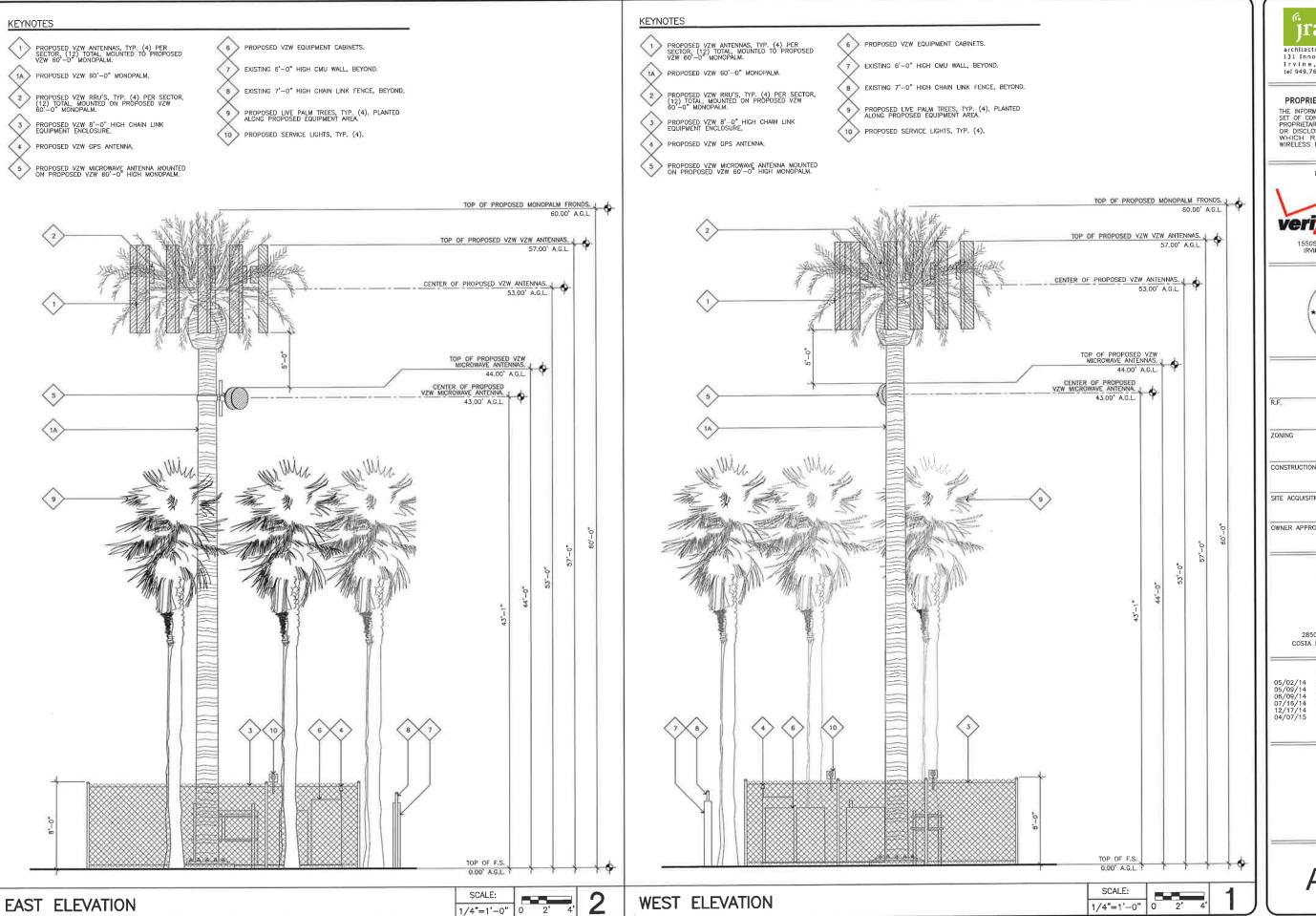
A-1.1

3'-0" LEASE AREA SCALE: ENLARGED EQUIPMENT PLAN 3/8"=1'-0" 0 1' 2' 3'

ANTENNA PLAN

3/8"=1'-0"





Jeffrey **Rome** ASSOCIATES

architecture | telecommunications 131 Innovation Drive, Suite 100 Irvine, Callfornia 92617 tel 949,760.3929 | fax 949.760.3931

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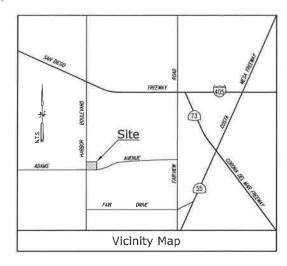
2850 HARBOR BOULEVARD COSTA MESA, CALIFORNIA 92626

05/02/14 PRELIMINARY ZO REVIEW (P1)
05/09/14 100% ZO'S (P2)
06/09/14 MONDPALM (P3)
07/16/14 ACCES EASEMENT ADDED (P
12/11/7/14 PLANNING COMMENTS (P5)
04/07/15 RELOCATE LIVE PALMS (P6) PRELIMINARY ZD REVIEW (P1) 100% ZD'S (P2) MONOPALM (P3) ACCESS EASEMENT ADDED (P4

SHEET TITLE

ELEVATIONS

A-2.1



Title Report

PREPARED BY: COMMONWEALTH LAND TITLE COMPANY ORDER NO.: 08021979

DATED: MARCH 14, 2014

Legal Description

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTH 292.04 FEET OF THOSE PORTIONS OF BLOCKS A, B, G, H, K AND L, IN THE MAP OF FARMEW, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 25, PAGES 57 AND 79 OF MISCALLANGUSI RECORDS, IN THE OFFICE OF THE COUNTY RECORDED FOR SANCELES COUNTY, CALIFORNIA, TOCKTHER WITH THOSE PORTIONS OF CYPRESS AVENUE, BLM AVENUE, MYRILE AVENUE AND CHERRY STREET SHORM ON SAID MAP AND VACATED BY ORDER OF THE DOAND OF SUPERWISORS OF SAID ORANGE COUNTY, JANE 16, 1942, A CERTIFIED COPY OF WHICH WAS RECORDED JANE 20, 1942 IN BOOK 1133, PAGE 586 OF OFFICIAL RECORDS, AND THAT PORTION OF FARRINGEM AVENUE, NOW KNOWN AS HARBOR BOULEVARD, AS SHOWN ON SAID MAP DESCRIBED AS A WHOLE AS FOLLOWS:

TRUE PONT OF BEONNING.

EXCEPT ALL MINERALS, ORES, PREDOUS AND USEFUL METALS, SUBSTANCES AND HYDROCARBONS OF EVERY KIND AND CHARACTER, INCLUDING PEROLEUM, OL, CAS, ASPHALTUM AND TAR, IN AND UNDER SAID LAMO, BUT, MINIOUT THE RORH TO USE ILL SHARE OF SAID LAMO IN CONNECTION WHITH THE DEVELOPMENT HEIGHT OF THE SHARE AND SAID CONTROL OF THE SHARE AND SAID CONTROL OF THE SHARE AND SAID CAN ON THE SHARE AND SAID CONTROL OF THE SHARE REGISTER OF THE SHARE REGISTER OF THE SHARE REGISTER OF THE SHARE REGISTER OF THE BURNEAU FROM THE SHARE AND SAID CAN ON THE SHARE AND SAID CAN ON THE SHARE AND SAID FEET TO SAID SAIRFACE, AS RESERVED BY PRANKE COST JAMOR COLLEGE DISTRIC, AN INFORMATION SHARE AND SAID FROM THE SHARE AND SAID CONTROL OF THE SHARE AND SAID CAN SHARE AND SAID CALLED SHARE AND SAID CALLED SHARE AND SAID CAN SHARE AND SAID CALLED SHARE AND SAID SAID SAID SAID SHARE SH

Assessor's Parcel No.

141-362-01

Easements

- The dimership of said land does not include rights of access to or from the street, inchway, or freeway adulting said land, such rights having been reliancished by document recorded Julie 28, 1983 in book 681 page 827 of official records. A modification of agreement dated october 7, 1983 and recorded october 15, 1983 in book 6761 page 42 of official records, wherein access (institute to harded document of the said official records), wherein access (institute to harded document of the said occess) and agreed that said access rights shall be restricted by city could vib the extent necessary to protect safety and the orderly movement of traffic. (Plotted hereon).
- THE MATTERS CONTAINED IN A DOCUMENT ENTITLED "AGREEMENT GRANTING A PERMANENT EASEMENT" BY AND BETWEEN CORNILL PROPERTIES, A CALEFORM AC LOUAL PARTHERSHIP AND LOUIS M. BENNY, GORDON M. MAHAFEY, MARY CORVEVE SENNY FORDYZA AND DAVID M. CARLAND, CO-TRUSTESS UNDER THE WILL OF LOUIS R. BENNY OF THE EIGHT LOUIS R. BENNY ESTAMENTAY TROSTS RECORDED JANNARY 27, 1989 AS ASTRUMENT NO. 89-08523 OF GETTAGAL RECORDS: CUTTED HERCON,

Geographic Coordinates at Prop. Monopalm 1983 DATUM: LATITUDE 33' 40' 31.99'N LONGITUDE 117' 55' 02.98'W ELEVATION = 56.0 FEET ABOVE MEAN SEA LEVEL

CERTIFICATION:

THE LATITUDE AND LONGTUDE SHOWN ABOVE ARE ACCURATE TO WITHIN +/- 15 FEET HORIZONTALLY AND
THAT THE ELEVATIONS SHOWN ABOVE ARE ACCURATE TO WITHIN +/- 3 FEET VERTICALLY. THE HORIZONTAL
DATUM (CEGGRAPHIC COGGINATES) IS IN TERMS OF THE NORTH AMERICAN DATUM OF 1983 (NAD 83) AND IS
SETMESSED IN DEGREES (), MINUTES () AND SECONDS (*), TO THE NEAREST HUMPREDIT OF A SECOND THE
MERICAL DATUM (LEVATIONS) IS IN TERMS OF THE NORTH AMERICAN VERTICAL DATUM OF 1986 (NAMO 86)
AND IS DETERMENDED TO THE REMOREST TERMS OF A FOOT.

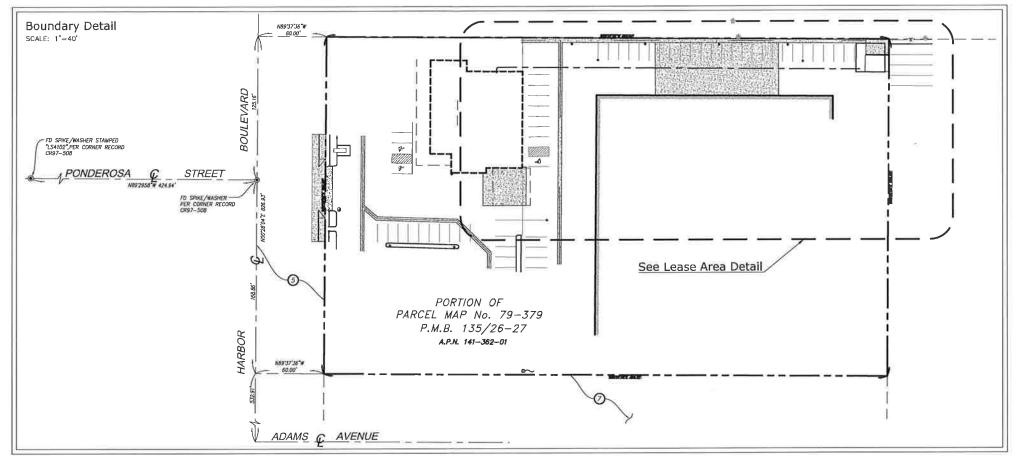
Basis of Bearings

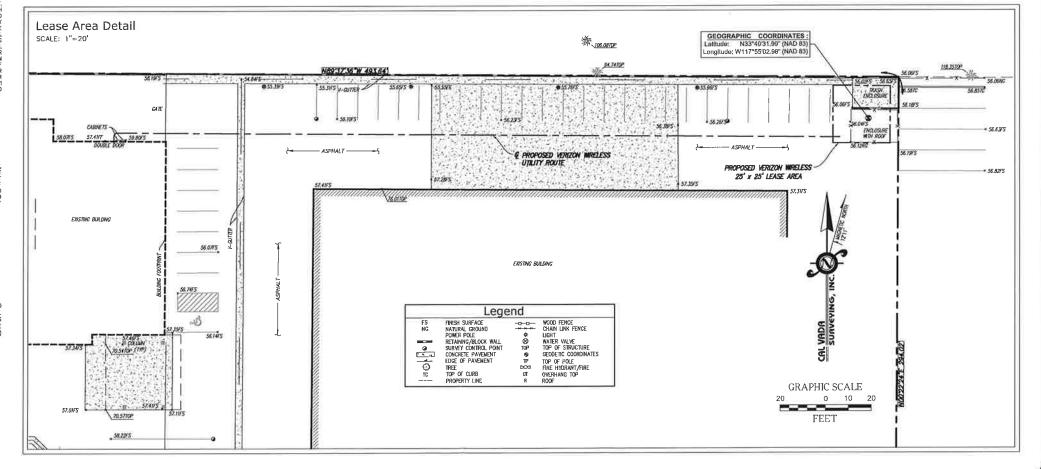
THE STATE PLANE COORDINATE SYSTEM OF 1983 (NAD 83), CALIFORNIA ZONE 6

Bench Mark

THE CALIFORNIA SPATIAL REFERENCE CENTER C.O.R.S "FVPK", ELEVATION = 80.18 FEET (NAVO 88)

Date of Survey







Jeffrey**Rome** ASSOCIATES

1 San Joaquin Plaza: Suite 250 Newport Beach, Callfornia 92660 tel 949.760.3929 | fax 949.760.3931

PROPRIETARY INFORMATION

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CONSULTANT

CAL VADA

SURVEYING, INC.

JOB NO. 14351

411 Jenks Cir., Sulte 205, Corona, CA 92880 Phone: 951-280-9960 Fax: 951-280-9746 www.calvada.com Toll Free: 800-CALVADA

PREPARED FOR



15505 SAND CANYON AVENUE IRVINE, CALIFORNIA 92618

APPROVALS R.F. DATE SAC AND ZONING DATE

DATE

VZW CM DATE

OWNER APPROVAL DATE

> PROJECT NAME PETERSON

2828 HARBOR BOULEVARD COSTA MESA, CA 92626 ORANGE COUNTY

DATE DESCRIPTION 05/06/14 SUBMITTAL 05/16/14 TITLE REPORT/FINAL 06/12/14 CLIENT COMMENTS 03/30/15 MOVE LEASE AREA

SHEET TITLE

TOPOGRAPHIC SURVEY

C-′ SHEET 1 OF 1



2850 HARBOR BOULEVARD COSTA MESA CA 92626













2850 HARBOR BOULEVARD COSTA MESA CA 92626



VIEW 2









2850 HARBOR BOULEVARD COSTA MESA CA 92626



VIEW 3









2850 HARBOR BOULEVARD COSTA MESA CA 92626



VIEW 4







CITY OF COSTA MESA



P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

May 21, 2015

Terri Grisenti Coastal Business Group, Inc. 16150 Scientific Way Irvine. CA 92618

RE:

ZONING APPLICATION ZA-15-07

MINOR CONDITIONAL USE PERMIT TO CONSTRUCT A 50' WIRELESS

TELECOMMUNICATION FACILITY (FAUX EUCALYPTUS TREE)

3140 PULLMAN STREET, COSTA MESA

Dear Ms. Grisenti:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on May 28, 2015, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Antonio Gardea, at (714) 754-5692, or at antonio gardea@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP

Zoning Administrator

Attachments:

Project Description

Findings

Conditions of Approval, Code Requirements, and Special District

Requirements

Bown mo Fu.

Approved Conceptual Plans

CC:

Engineering

Fire Protection Analyst Building Safety Division

BACKGROUND

Site Location

The 1.27 acre property is zoned Industrial Park District (MP zone) with a General Plan land use designation of Industrial Park. The property is surrounded by light industrial uses (MP zoned properties) and the 55 freeway immediately to the east. The property is developed with a 22,012 square foot industrial building, with one half currently occupied by Tesla as a vehicle sales showroom and the other half occupied by Tube Solutions, an industrial manufacturing use.

Previous Entitlements

On February 9, 2006, the Zoning Administrator approved a parking deviation for four fewer parking spaces, to accommodate a 10,295 square foot addition to the industrial building. The deviation was supported because the majority of the building was used for warehousing and manufacturing which are considered very low parking uses. Provision of a total of 62 parking spaces was approved instead of the 66 spaces required by the Zoning Code. The subsequent construction of a trash enclosure displaced a parking space which resulted in a total of 61 parking spaces provided on site. On March 27, 2007 and March 6, 2008, the Zoning Administrator approved a time extensions for the project, with construction completed in 2009.

PROJECT DESCRIPTION

Proposed Use

The applicant proposes to install a 50-foot tall wireless communication facility designed as a faux eucalyptus tree (mono-eucalyptus) and related equipment cabinets, including a standby diesel generator. The mono-eucalyptus and cabinets would be located adjacent to the drive aisle, along the north property line. The placement of the equipment cabinets behind the block wall would require the relocation/replacement of the existing trash enclosure and one parking space. The applicant intends to add two more parking stalls behind the building to bring the total to 62 spaces provided on site. The parking space configuration will have to be modified to parallel parking adjacent to the building because insufficient back up space exists for perpendicular parking spaces.

Analysis

The proposed antennas and support pole will be camouflaged as a eucalyptus tree. The equipment cabinets will be placed behind the existing block wall screening them from public view. The proposed height is 50 feet, which exceeds the maximum allowable height of 30 feet per the Zoning Code; therefore a Minor Conditional Use Permit is required for this requested installation.

ZA-15-07 May 21, 2015 Page 3 of 6

The plans indicate that that the existing trash enclosure, which presently abuts the north property line, will be relocated closer to the drive aisle. The mono-eucalyptus would be placed adjacent to the new enclosure and have a 26-foot canopy diameter. The mounting masts would be painted dark green. The mono-eucalyptus will have branches and leaves to screen the twelve antennas, twelve modules, and two surge protection units mounted on the steel poles. The surge protection units, modules, and microwave antenna will be painted dark green to match the mounting mast. The antennas will be painted to match the mast and covered with leafy socks.

The equipment area would be behind the trash enclosure. The new eight-foot tall block wall enclosure would be textured and painted to match the existing structures. One eucalyptus tree will be planted in the front landscaped setback area to provide additional screening.

The proposed equipment area will be located behind existing block wall. Conditions have been included to ensure antenna frequencies do not interfere with the frequency used for Public Safety communications. The environmental radio frequency radiation generated by the antennas will comply with the ANSI/IEEE standards. Verizon Wireless operates telecommunications facilities licensed by the Federal Communications Commission (FCC). The FCC has jurisdictional authority with regard to health and safety of telecommunications facilities and the City of Costa Mesa is preempted by Federal regulations on this issue.

The proposed antennas and screening comply with Costa Mesa General Plan Community Design Element Goal CD8A.8 in that the proposed antennas will be camouflaged as a eucalyptus tree and the cabinets and related equipment will be placed behind an enclosure that matches the existing block wall.

FINDINGS

- A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:
 - 1. The proposed use is compatible with developments in the same general area; specifically the new antennas will be mounted on pole designed to resemble a eucalyptus tree and the equipment will be located behind an eight foot tall block wall to minimize visual impact to the surroundings.
 - 2. Granting the Minor Conditional Use Permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity since the antenna frequencies will comply with ANSI/IEEE standards. Conditions have also been added to certify that the antennas do not interfere with frequencies used by the City for public safety purposes. The antenna frequencies comply with all Federal standards for radio frequency emissions in accordance with the Telecommunications Act of 1996 and subsequent amendments,

as well as any other applicable requirements imposed by the State and Federal agencies.

- 3. Granting the Minor Conditional Use Permit will not allow a use, density or intensity that is not in accordance with the General Plan designation for the property since the antennas will be camouflaged as a eucalyptus tree and the equipment will be screened from the street, and nearby properties, minimizing visual impacts.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15303, Class 3, New Construction of Small Structures, of the CEQA Guidelines.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- Plng. 1. The wireless telecommunication facility (monopole) shall be camouflaged in form of a eucalyptus tree. The mounting masts shall be painted brown or brownish black and the antennas, surge protection units and modules shall also be painted an appropriate color. As part of the plan check submittal package, sample materials of the trunk, leaf socks, branches and leaves shall be submitted to the Planning Division. Materials shall resemble the texture and color of live eucalyptus trees.
 - 2. All proposed and existing equipment cabinets, wiring, cables, and conduit shall be screened from view by an eight foot tall block wall textured and painted to match the existing wall.
 - 3. All proposed and existing equipment cabinets, antennas, wiring, cables, and conduit shall be well maintained and kept in good condition at all times. Any broken, damaged, faded, and exposed material shall be replaced and approved by Planning staff prior to installation.
 - 4. The applicant shall plant a 24-inch box Eucalyptus tree in the northern front setback area. Suggested tree types are Eucalyptus ficifolia or E. sidroxylon 'rosea'.
 - 5. The applicant shall design the branches of the mono-eucalyptus such that they extend past the length of the antennal panels and related equipment, so as to achieve a more natural appearance of a eucalyptus trees with a 26-foot canopy. Details of this design shall be reflected on the site plan and elevations.
 - 6. Any future modifications to the equipment or antennas shall be done only with the prior approval of Planning staff and may require filing and approval of a minor conditional use permit.
 - 7. The applicant shall provide a 24-hour phone number to which interference problems may be reported.

- 8. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all interference issues. The name, telephone number, fax number, and email address of that person shall be provided to the City's designated representative.
- 9. The site plan shall be revised to provide two parallel parking spaces behind the building.
- 10. The conditions of approval and Code requirements of Zoning Application ZA-15-07 shall be blueprinted on the face of the site plan of the plan check submittal package.
- 11. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the final building inspection(s). This inspection is to confirm that the conditions of approval and Code requirements have been satisfied.
- 12. The wireless telecommunications facility (monopole) and all associated equipment shall be completely removed upon discontinuance of use. The applicant shall notify the Planning Division when this occurs and obtain the necessary demolition permits to remove the wireless facility and associated equipment.
- 13. The applicant shall ensure 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 applicant to comply.
- The applicant recognizes that the frequencies used by the cellular facility Police 14. located at the subject property are extremely close to the frequencies used by the City of Costa Mesa for Public Safety. This proximity will require "comprehensive advanced planning and frequency extraordinary 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 Communication Commission (FCC). Prior to the issuance of any permits to install the facility, applicant shall meet in good faith to coordinate the use of frequencies and equipment with the Communications Division of the Orange County Sheriff-Coroner Department to minimize, to the greatest extent possible, any interference with the Public Safety 800 MHz Countywide Coordinated Communications System (CCCS). Similar consideration shall be given to any other existing or proposed wireless communications facility that may be located on the subject property.
 - 15. At all times, the applicant shall not prevent the City of Costa Mesa from having adequate spectrum capacity on the City's 800 MHz radio frequency.

CODE REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

ZA-15-07 May 21, 2015 Page 6 of 6

Plng.

- 1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining building permits for the authorized construction and initiates construction. If the applicant is unable to obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.
- 2. All construction-related activity shall be limited to between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 9 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
- 3. Antennas shall comply with the Antenna Development Standards in Section 13-142 of the Costa Mesa Zoning Code.
- 4. All parking shall conform to City standards. Provide dimensions for parking spaces. Exterior doors of the building shall not be obstructed by any parking spaces.
- 5. Provide 25-foot minimum distance to provide adequate space for turning movements.

Bldg.

- 6. Comply with the requirements of the 2013 California Building Code, 2013 California Electrical Code, 2013 California Energy Code (or the applicable adopted California Building Code, California Electrical Code, and California Energy Code at the time of plan submittal or permit issuance), and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa.
- 7. Provide structural calculations and drawing prepared by a registered California engineer.

Bus. Lic. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections will not be granted until all such licenses have been obtained.





THE LAB

3140 PULLMAN ST. COSTA MESA, CA 92626

CODE COMPLIANCE

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 PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES...

- 2013 CALIFORNIA ADMINISTRATIVE CODE
- 2013 CALIFORNIA ADMINISTRATIVE COI 2013 CALIFORNIA BUILDING CODE 2013 CALIFORNIA ELECTRIC CODE 2013 CALIFORNIA MECHANICAL CODE

- 2013 CALIFORNIA PLUMBING CODE
 2013 CALIFORNIA FIRE CODE
 ANY LOCAL BUILDING CODE AMENDMENTS TO THE ABOVE
- 8. CITY/COUNTY ORDINANCES

HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED IN ACCORDANCE WITH CALIFORNIA ADMINISTRATIVE STATE CODE PART 2, TITLE 24, CHAPTER 118, DIVISION 4.

PROJECT DESCRIPTION

VERIZON WIRELESS IS PROPOSING THE INSTALLATION, OPERATION AND

- 50' TALL MONO-EUCALYPTUS WITH (12) 8' ANTENNAS, (1) 4' MICROWAVE
- SOUTH ALL MOND-ECCASTINGS WITH (12) OF ANTENINAS, (1) OF MICROWAYED DISH AND AUXILIARY EQUIPMENT
 15kW STANDBY-USE-ONLY DIESEL GENERATOR WITH A 55 GALLON FUEL TANK

 TANK

 TANK

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 TO THE TO THE TANK

 TO THE TA
- EQUIPMENT AND UTILITY CABINETS PLUS NEW UTILITY SERVICES

- THE COUIPMENT AREA WILL BE ENCLOSED WITH A NEW CMU BLOCK WALL TEXTURED AND PAINTED TO MATCH THE EXISTING.

 A CHAIN LINK LID WILL ALSO BE ADDED TO THE LEASE AREA.

 THE EXISTING TRASH ENCLOSURE WILL BE RELOCATED TO ACCOMMODATE
- ONE (1) PARKING SPOT WILL BE LOST WITH THIS PROJECT AND TWO (2) ADDITIONAL SPOTS WILL BE ADDED TO THE PROPERTY.
 THO (2) 24" BOX TREES WILL BE ADDED TO THE PARKWAY PORTION OF THE PARKWAY PORTION OF
- THIS PROJECT, AS PROPOSED, WILL NOT IMPACT EXISTING LANDSCAPING.

DRIVING DIRECTIONS

FROM VERIZON WIRELESS OFFICE, IRVINE, CA

- 1. HEAD SOUTHEAST TOWARD SAND CANYON TRAIL
 2. TURN RIGHT ONTO SAND CANYON AVE
 3. SLIGHT RIGHT TO MERGE ONTO 1-405 N
 4. CONTINUE ON 1-405: N TO COSTA MESA. TAKE THE CA-55 S
 EXIT FROM 1-405 N MERGE ONTO 1-405 N
 5. TAKE THE CA-55 S EXIT
 6. KEEP RIGHT, FOLLOW SIGNS FOR BAKER ST
 7. TURN LEFT ONTO BAKER ST E
 8. TURN RIGHT ONTO PULLMAN ST.
 (PESTINATION WILL BE ON THE LEFT 3140 PULLMAN ST.)

- (DESTINATION WILL BE ON THE LEFT 3140 PULLMAN ST.)

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWING:

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR

SHEET INDEX

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	0
C-1	TOPOGRAPHIC SURVEY	2
A-1	SITE PLAN	0
A-2	ENLARGED SITE PLAN	0
A-3	EQUIPMENT LAYOUT	0
A-4	ANTENNA PLAN	0
A-5	ELEVATIONS	0
A-6	ELEVATIONS	0

PROJECT TEAM

ENGINEER:

PDC CORPORATION 13225 DANIELSON STREET, SUITE 200 POWAY, CA 92064 PHONE: (858) 668-2828 FAX: (858) 668-2827 EMAIL: sohail shah@pdccorp.net CONTACT: SOHAIL SHAH, PE

PLANNING CONTACT:

COASTAL BUSINESS GROUP, INC. 16150 SCIENTIFIC WAY IRVINE, CA 92618 CONTACT: TERRI GRISENTI TEL: (949) 439.3466 EMAIL: tarisenti@coastalbusinessgroupinet

RF ENGINEER:

VERIZON WIRELESS 15505 SAND CANYON BLVD BUILDING "D", 1ST FLOOR IRVINE, CA 92618-3114 CONTACT: ATTA TAHMAS TEL: (760) 895-7348 FMAIL: atta.tahmas@verizonwireless.com

VERIZON WIRELESS 15505 SAND CANYON BLVD. BUILDING "D", 1ST FLOOR IRVINE, CA 92618-3114 CONTACT: KENDRICK AYRES TEL: (949) 286-8630 EMAIL; kendrick.ayres@verizonwireless.com

LEASING CONTACT:

COASTAL BUSINESS GROUP, INC. 16150 SCIENTIFIC WAY IRVINE, CA 92618 CONTACT: TERRI GRISENTI TEL: (949) 439,3466 FAX: (949) 336-6665 EMAIL: tgrisenti@coastalbusinessgroup.net

CONSTRUCTION MANAGER

CBMS INC.
TELECOMMUNICATION CONSULTING 120 VILLAGE SQUARE, #51 ORINDA, CA 94563 CONTACT: GARY HOLZER TEL: (949) 697-2011 EMAIL: garyholzer@cbmsconsulting.com

PROJECT INFORMATION

3140 PULLMAN ST. COSTA MESA, CA 92626 SITE ADDRESS:

427-023-01

PROPERTY OWNER:

3176 AIRWAY AVE...
COSTA MESA, CA 92626
CONTACT: STEVE MILLEN PHONE: (714) 540-5566

33°40'39.25" N

LATITUDE: LONGITUDE:

117*52'46.81" W GROUND ELEVATION: ±42.5' FT. AMSL MP - INDUSTRIAL PARK

V-B

ZONING:

TYPE OF CONSTRUCTION:

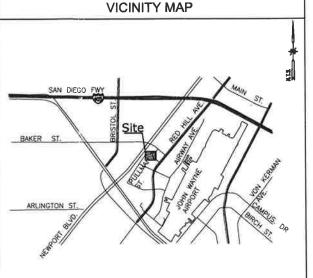
OCCUPANCY:

JURISDICTION:

CITY OF COSTA MESA

LEGAL DESCRIPTION:

LOT 19 OF TRACT NO. 5769, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 210 PAGES 9 AND 10 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



APPROVALS	
LANDLORD:	
SITE ACQUISITION MANAGER:	
UTILITY COORDINATOR:PROGRAM REGIONAL MANAGER:	

APPLICANT

verizonwireless 15505 SAND CANYON AVE. BUILDING "D", FIRST FLOOR IRVINE, CA 92618

PROJECT INFORMATION:

THE LAB

3140 PULLMAN ST. COSTA MESA, CA 92626

REVISIONS:

REV.	DATE	DESCRIPTION	BY
Α	12/22/14	90% ZONING DRAWING	МІ
0	01/08/15	100% ZONING DRAWING	RED

CONSULTANT:



COASTAL BUSINESS GROUP, INC. 16150 SCIENTIFIC WAY IRVINE, CA 92618 TEL: (949) 336-1550 FAX: (949) 336-6665

FNGINEER:

PDC CORPORATION



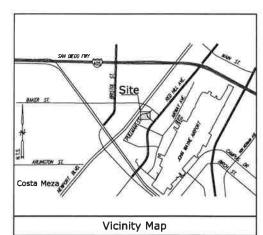
13225 DANIELSON ST, SUITE 200 POWAY, CA 92064 TEL: (858) 668-2828

LICENSER

SHEET TITLE:

TITLE SHEET





Title Report

PREPARED BY: FIDELITY NATIONAL TITLE COMPANY ORDER NO.: 997-23055618-PP2 OATED: NOVEMBER 6, 2014

Legal Description

LOT 19 OF TRACT NO. 5789, IN THE CITY OF COSTA MESA, COUNTY OF GRANGE STATE OF CAUFORNIA, AS PER MAP RECORDED IN BOOK 210 PAGES 9 AND 10 OF MISCELLANEOUS NAPS, IN THE OFFICE OF THE COUNTY RECORDED OF SAU COUNTY.

Assessor's Parcel No.

Utility Routes & Lease Area

NEW YORK TOURS Overall Site & Bounday Detail S76.39°13" № 140.52" FD. SPIKE & WASHER TAGGED "LS 5411" FD. SPIKE & WASHER TAGGED "LS 5411" STREET 10 See Lease Area Detail LOT #18 A.P.N. 427-023-02 GRAPHIC SCALE FEET LOT #19 TRACT MAP NO.5769 M.B. 210/9-10 A.P.N. 427-023-01 LOT #17 A.P.N. 427-023-03

Easements

- 2. A PERPETUAL ARE OR FLOORT EASEMENT, SOMETIMES REFERRED TO AS AMERITAN PROVIDE, IN AND TO ALL THE ARE SPACE ABOVE THOSE FORTIONS OF PARTICULAR PLANES OF MANDANET SHAFELS, RECORDED MANDO 17, 1964. RECORDING NO 1865. PAGE 273, OFFICIAL RECORDS (BLANES IN MATURE)
- (3) AN EASEMENT FOR AERIAL AND UNDERGROUND ELECTRICAL LINES AND COMMUNICATION LINES PURPOSES; RECORDED JUNE 23, 1965, RECORDING NO. 20290, OFFICIAL RECORDS. (PLOTTED HEREON, MPACTS VERZIONS REPORCED) LINET ROUTE)
- (a) AN EASEMENT FOR ABRAL AND UNDERGROUND TELEPHONE, TELEGRAPH AND COMMUNICATION STRUCTURES PAPPOSES; RECORDED JANUARY 14, 1969, RECORDING NO. 7844, OFFICIAL RECORDS. (PLUTTED HEREON, BAPACTS VERZONES PROPOSED UTILITY ROUTE).
- (7) AN EASEMENT FOR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS PURPOSES; RECORDED JULY 31, 1980, RECORDING NO. 35740, OFFICIAL RECORDS. (PLOTTED HERECH, DOCS NOT AFFECT VIREXON PROPOSED FACILITIES)

Geographic Coordinates at Proposed Monoeucalyptus

1983 DATUM: LATITUDE 33' 40' 39,25"N LDNGITUDE 117" 52' 46,81"W ELEVATION = 42.5 FEET ABOVE MEAN SEA LEVEL

CERTIFICATION:
THE LATRICE AND LONGITUDE SHOWN ABOVE ARE ACCURATE TO WITHIN +/- 15 FEET HORIZONTALLY AND
THAT THE ELEVATIONS SHOWN ABOVE ARE ACCURATE TO WITHIN +/- 3 FEET MERICALLY. THE MORZONTAL
DATUM (GEOGRAPHIC CONDENATES) IS MI TERMS OF THE MORTH AMERICAN DATUM OF 1983 (MUM 83) AND IS
DEPMESSED IN DECRES C), MANUELS () AND SCOROUS (), TO THE CARREST HAMDREDTO A SECOND. THE
METRICAL DATUM (ELEVATIONS) IS MI TERMS OF THE MORTH AMERICAN VERTICAL DATUM OF 1988 (MAND 88)
AND IS DETERMINED TO THE MEASURET TERMS OF A FOOT.

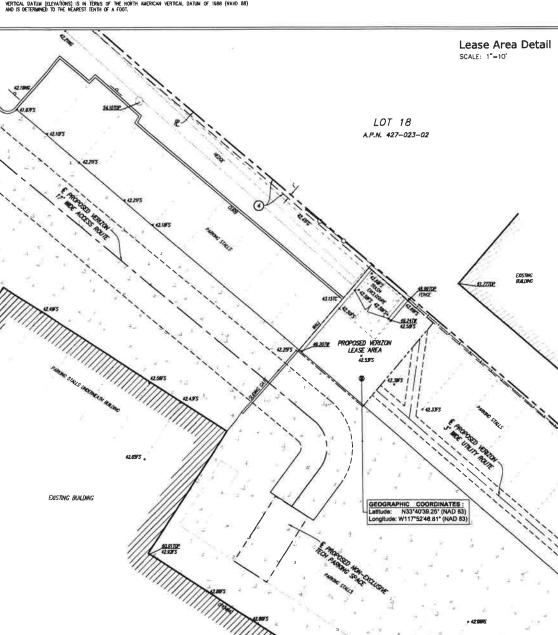
Basis of Bearings

Bench Mark

THE CALIFORNIA SPATIAL REFERENCE CENTER C.O.R.S. "FVPK", ELEVATION = 80.18 FEET (NAVO B8)

Date of Survey

OCTOBER 30, 2014





15505 SAND CANYON AVE. BUILDING "D", FIRST FLOOR IRVINE, CA 92618

PROJECT INFORMATION:

THE LAB

3140 PULLMAN STREET, COSTA MESA, CA 92626

1890		
11	/07/2014	SUBMITTAL
1 12	/08/2014	TITLE REPORT
2 01	/08/2015	FTNAL

CONSULTANT:

CAL VADA

SURVEYING, INC.

411 Junios Cir., Sulla 205, Corona, CA 92860 Phone: 951-280-9980 Fee: 951-280-9746 Toll Free: 800-CALVADA www.calveds.com

JOB NO. 141077

ENGINEER: PDC CORPORATION



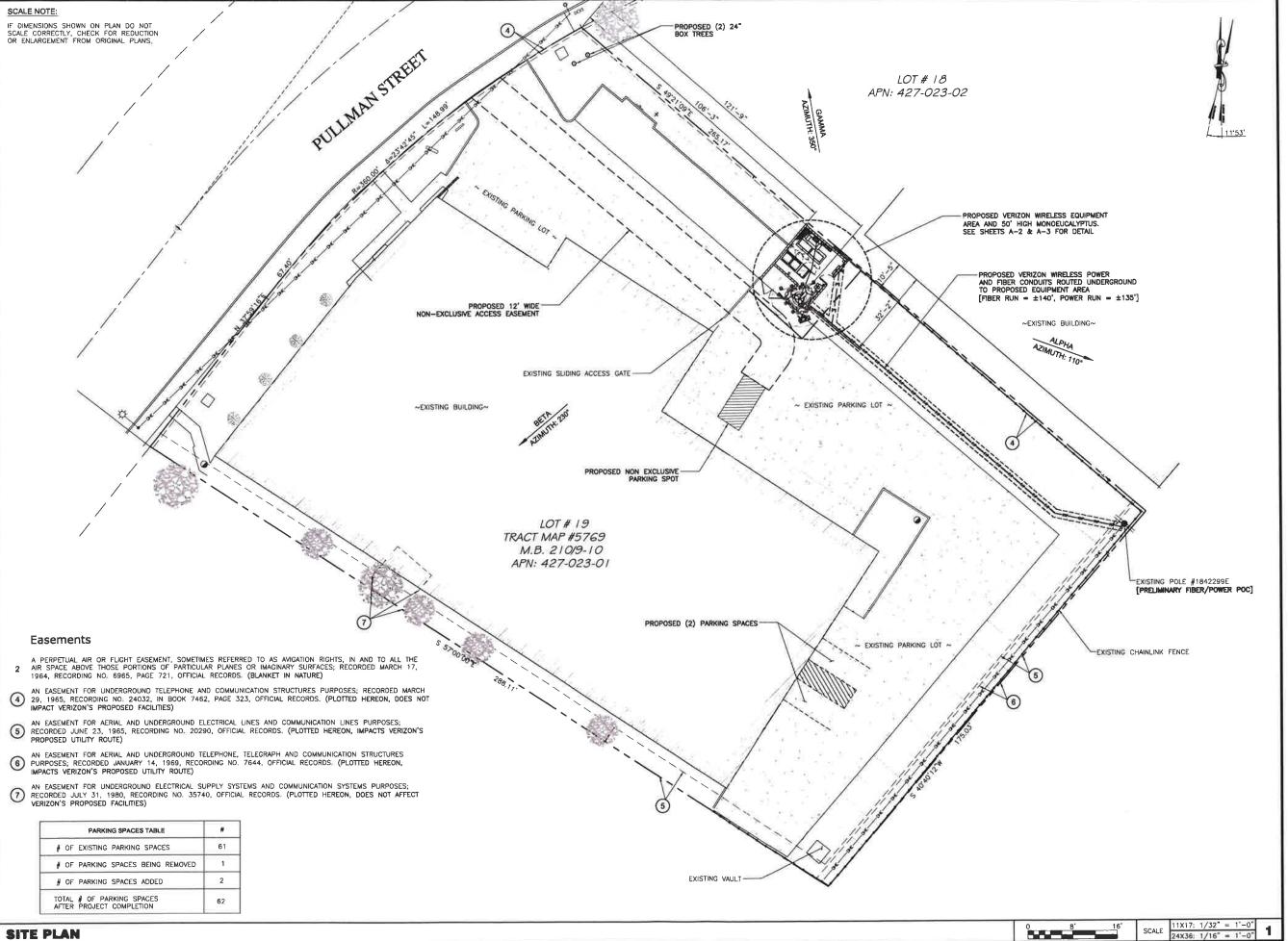
13225 DANIELSON ST., SUITE 200 POWAY, CA 90264 TEL: (858) 668-2828 FAX: (858) 668-2827

ICENSER:



SHEET TITLE:

TOPOGRAPHIC SURVEY



APPLICANT: verizonwireless

15505 SAND CANYON AVE. BUILDING "D", FIRST FLOOR IRVINE, CA 92618

PROJECT INFORMATION:

THE LAB

3140 PULLMAN ST. COSTA MESA, CA 92626

REVISIONS:

EV.	DATE	DESCRIPTION	BY
A	12/22/14	90% ZONING DRAWING	М
0	01/08/15	100% ZONING DRAWING	RED
П			
П			
			_

CONSULTANT:



COASTAL BUSINESS GROUP, INC. 16150 SCIENTIFIC WAY IRVINE, CA 92618 TEL: (949) 336-1550 FAX: (949) 336-6665

ENGINEER:



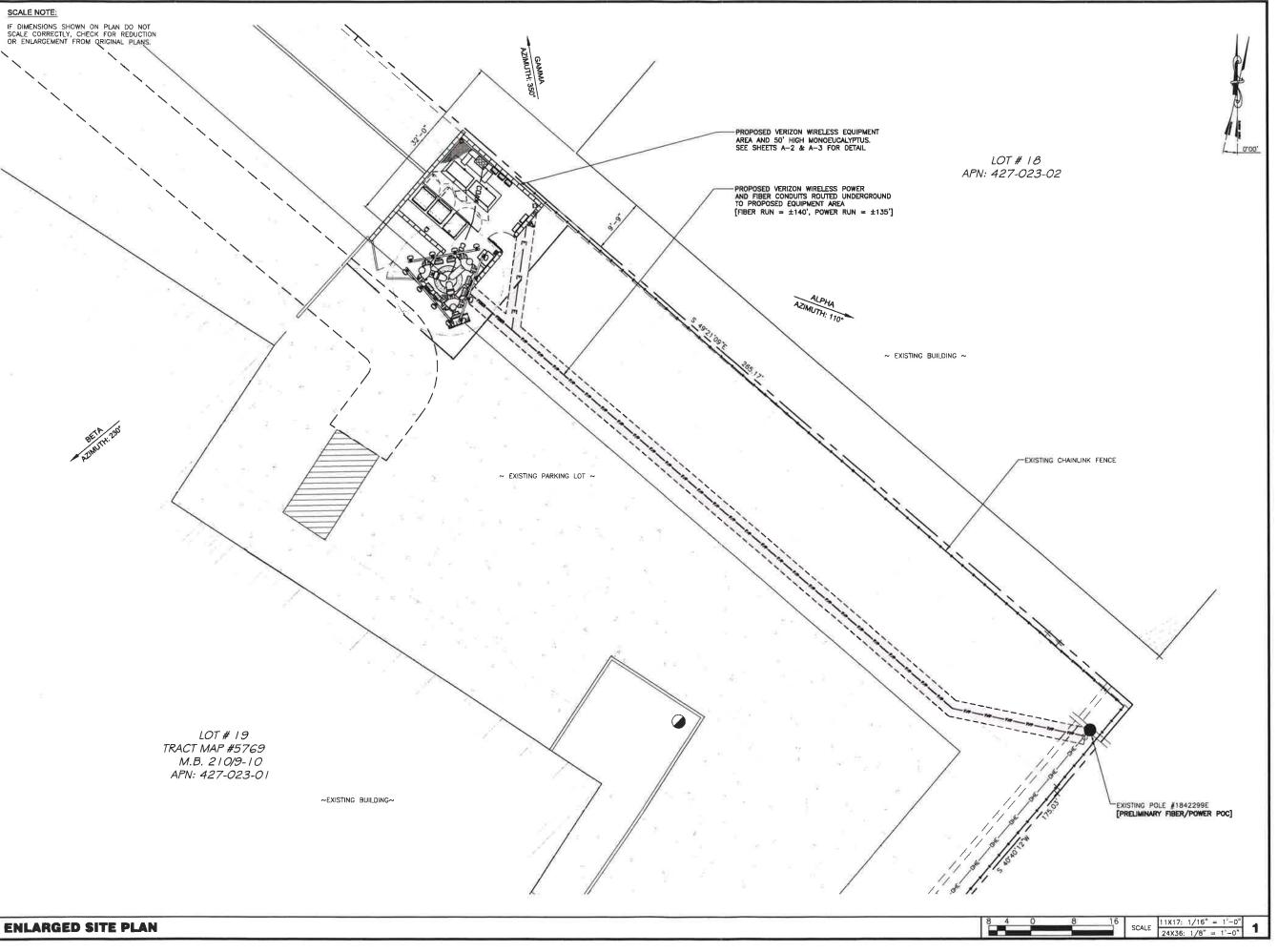
13225 DANIELSON ST, SUITE 200 POWAY, CA 92064 TEL: (858) 668–2828 FAX: (858) 668–2827

LICENSER:

SHEET TITLE:

SITE PLAN





APPLICANT:



15505 SAND CANYON AVE, BUILDING "D", FIRST FLOOR IRVINE, CA 92618

PROJECT INFORMATION:

THE LAB

3140 PULLMAN ST. COSTA MESA, CA 92626

REVISIONS:

REV.	DATE	DESCRIPTION	BY
Α	12/22/14	90% ZONING DRAWING	М
0	01/08/15	100% ZONING DRAWING	RED

CONSULTANT:



COASTAL BUSINESS CROUP, INC. 16150 SCIENTIFIC WAY IRVINE, CA 92618 TEL: (949) 336-1550 FAX: (949) 336-6665

ENGINEER:

PDC CORPORATION



13225 DANIELSON ST, SUITE 200 POWAY, CA 92064 TEL: (858) 668–2828 FAX: (858) 668–2827

ICENSER

SHEET TITLE:

ENLARGED SITE PLAN

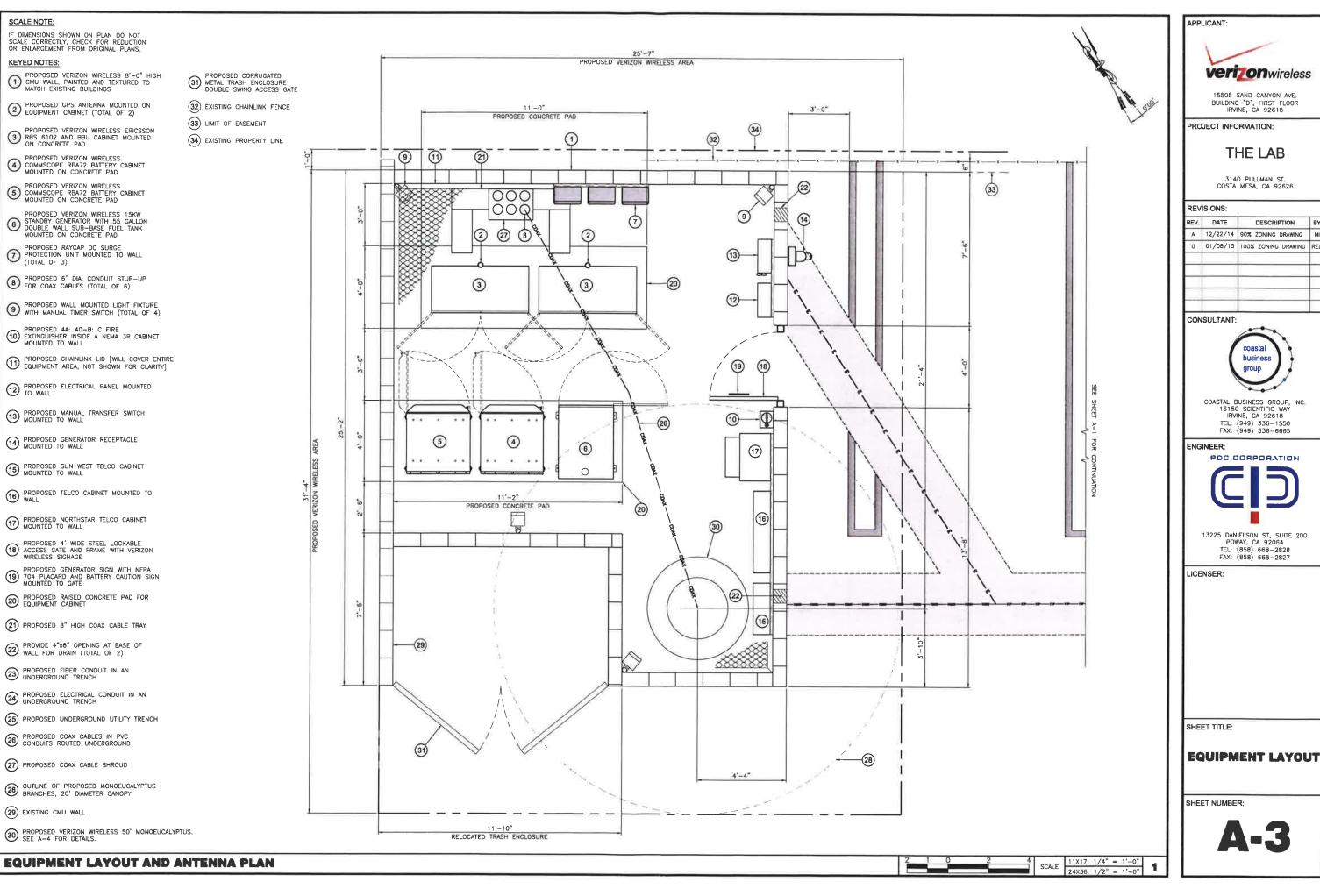
SHEET NUMBER:

A-2

SCALE NOTE:

DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS

- PROPOSED VERIZON WIRELESS 8'-0" HIGH
 CMU WALL PAINTED AND TEXTURED TO
 MATCH FYISTING BUILDINGS
- PROPOSED GPS ANTENNA MOUNTED ON EQUIPMENT CABINET (TOTAL OF 2)
- PROPOSED VERIZON WIRELESS ERICSSON PROPOSED VERIZUN WIRELESS ENGOSON
 RBS 6102 AND BBU CABINET MOUNTED
 ON CONCRETE PAD
- PROPOSED VERIZON WIRELESS COMMSCOPE RBA72 BATTERY CABINET MOUNTED ON CONCRETE PAD
- PROPOSED VERIZON WIRELESS
 COMMSCOPE RBA72 BATTERY CABINET
 MOUNTED ON CONCRETE PAD
- PROPOSED VERIZON WIRELESS 15KW
 STANDBY GENERATOR WITH 55 GALLON
 DOUBLE WALL SUB-BASE FUEL TANK
 MOUNTED ON CONCRETE PAD
- PROPOSED RAYCAP DC SURGE PROTECTION UNIT MOUNTED TO WALL
- 8 PROPOSED 6" DIA CONDUIT STUB-UP FOR COAX CABLES (TOTAL OF 6)
- 9 PROPOSED WALL MOUNTED LIGHT FIXTURE WITH MANUAL TIMER SWITCH (TOTAL OF 4)
- PROPOSED 4A: 40-B: C FIRE EXTINGUISHER INSIDE A NEMA 3R CABINET MOUNTED TO WALL
- PROPOSED CHAINLINK LID [WILL COVER ENTIRE EQUIPMENT AREA, NOT SHOWN FOR CLARITY]
- PROPOSED ELECTRICAL PANEL MOUNTED TO WALL
- PROPOSED MANUAL TRANSFER SWITCH MOUNTED TO WALL
- PROPOSED GENERATOR RECEPTACLE MOUNTED TO WALL
- PROPOSED SUN WEST TELCO CABINET MOUNTED TO WALL
- 16 PROPOSED TELCO CABINET MOUNTED TO WALL
- PROPOSED NORTHSTAR TELCO CABINET MOUNTED TO WALL
- PROPOSED 4' WIDE STEEL LOCKABLE ACCESS GATE AND FRAME WITH VERIZON WIRELESS SIGNAGE
- PROPOSED GENERATOR SIGN WITH NFPA 704 PLACARD AND BATTERY CAUTION SIGN MOUNTED TO GATE
- PROPOSED RAISED CONCRETE PAD FOR EQUIPMENT CABINET
- (21) PROPOSED 8" HIGH COAX CABLE TRAY
- PROVIDE 4"x8" OPENING AT BASE OF WALL FOR DRAIN (TOTAL OF 2)
- 23 PROPOSED FIBER CONDUIT IN AN UNDERGROUND TRENCH
- PROPOSED ELECTRICAL CONDUIT IN AN UNDERGROUND TRENCH
- 25 PROPOSED UNDERGROUND UTILITY TRENCH
- PROPOSED COAX CABLES IN PVC CONDUITS ROUTED UNDERGROUND
- 27 PROPOSED COAX CABLE SHROUD
- OUTLINE OF PROPOSED MONOEUCALYPTUS BRANCHES, 20' DIAMETER CANOPY
- 29 EXISTING CMU WALL
- 30 PROPOSED VERIZON WIRELESS 50' MONOEUCALYPTUS. SEE A-4 FOR DETAILS.



THE LAB

COSTA MESA, CA 92626

business

IRVINE, CA 92618

FAX: (949) 336-6665

POWAY, CA 92064 FAX: (858) 668-2827

group

DESCRIPTION

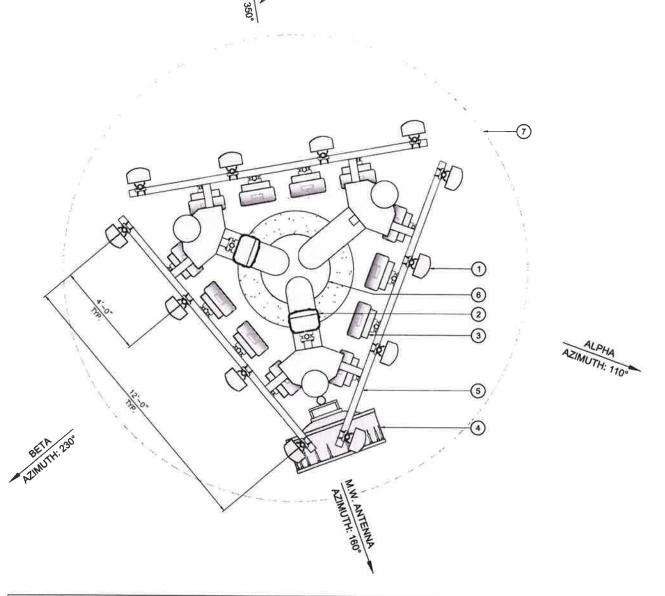
SCALE NOTE:

IF DIMENSIONS SHOWN ON PLAN DO NOT SCALE CORRECTLY, CHECK FOR REDUCTION OR ENLARGEMENT FROM ORIGINAL PLANS,



KEYED NOTES:

- PROPOSED (12) TWELVE VERIZON WIRELESS 8'
 HIGH PAREL ANTENNAS, PAINTED DARK GREEN
 AND COVERED WITH LEAFY SOCKS
 96"x11.8"x7.1" [TOTAL OF 12]
- PROPOSED (2) TWO VERIZON WIRELESS RAYCAP DC SURGE PROTECTION UNITS MOUNTED NEAR RRU, PAINTED DARK GREEN.
- PROPOSED (12) TWELVE VERIZON WIRELESS RRU-12 WITH A2 MODULE MOUNTED BEHIND PANEL ANTENNAS, PAINTED DARK GREEN.
- PROPOSED VERIZON WIRELESS 4' DIA.
 MICROWAVE ANTENNA MOUNTED ON
 MONOEUCALYPTUS, PAINTED DARK GREEN
- § PROPOSED VERIZON WIRELESS ANTENNA MOUNTING MAST, PAINTED DARK GREEN.
- 6 PROPOSED VERIZON WIRELESS 50' MONOEUCALYPTUS
- OUTLINE OF PROPOSED MONOEUCALYPTUS BRANCHES, 20' DIAMETER CANOPY



		ANTENNA	AND COAX	SCHEDULE			
SECTOR	ANTENNA TYPE	ANTENNA SIZE	AZIMUTH	RAD CENTER	SIZE	QTY OF CABLE PER SECTOR	CABLE LENGTH
ALPHA-1	SBNHH-1D65C	96"Lx11.9"Wx7.1"D	110°	44'-0"	HYBRID		±70'
ALPHA-2	SBNHH-1D65C	96"Lx11.9"Wx7-1"D	110*	44'-0"	HYBRID		±70'
ALPHA-3	SBNHH-1D65C	96"Lx11.9"Wx7_1"D	110*	44'-0"	HYBRID	8 FIBER CABLES	±70'
ALPHA-4	SBNHH-1D65C	96"Lx11.9"Wx7.1"D	110°	44'-0"	HYBRID		±70'
BETA-1	SBNHH-1D65C	96"Lx11.9"Wx7_1"D	230°	44'-0"	HYBRID		±70'
BETA-2	SBNHH-1D65C	96"Lx11.9"Wx7.1"D	230°	44'-0"	HYBRID		±70'
BETA-3	SBNHH-1D65C	96"Lx11.9"Wx7.1"D	230°	44'-0"	HYBRID	8 FIBER CABLES	±70'
BETA-4	SBNHH-1D65C	96"Lx11.9"Wx7.1"D	230	44'-0"	HYBRID	.4	±70'
GAMMA-1	SBNHH-1D65C	96"Lx11.9"Wx7-1"D	350°	44'-0"	HYBRID		±70'
GAMMA-2	SBNHH-1D65C	96"Lx11.9"Wx7.1"D	350°	44'-0"	HYBRID		±70'
GAMMA-3	SBNHH-1D65C	96"Lx11,9"Wx7,1"D	350°	44'-0"	HYBRID	8 FIBER CABLES	±70'
GAMMA-4	SBNHH-1D65C	96"L×11.9"Wx7.1"D	350	44'-0"	HYBRID		±70'
MICROWAVE		4' DIAMETER	160°	35'-0"	1-1/4	1 COAX CABLE	±60'





15505 SAND CANYON AVE. BUILDING "D", FIRST FLOOR IRVINE, CA 92618

PROJECT INFORMATION:

THE LAB

3140 PULLMAN ST. COSTA MESA, CA 92626

REVISIONS:

DATE	DESCRIPTION	BY
12/22/14	90% ZONING DRAWING	МІ
01/08/15	100% ZONING DRAWING	RÉD
	12/22/14	

CONSULTANT:



COASTAL BUSINESS GROUP, INC. 16150 SCIENTIFIC WAY IRVINE, CA 92618 TEL: (949) 336-1550 FAX: (949) 336-6665

ENGINEER:



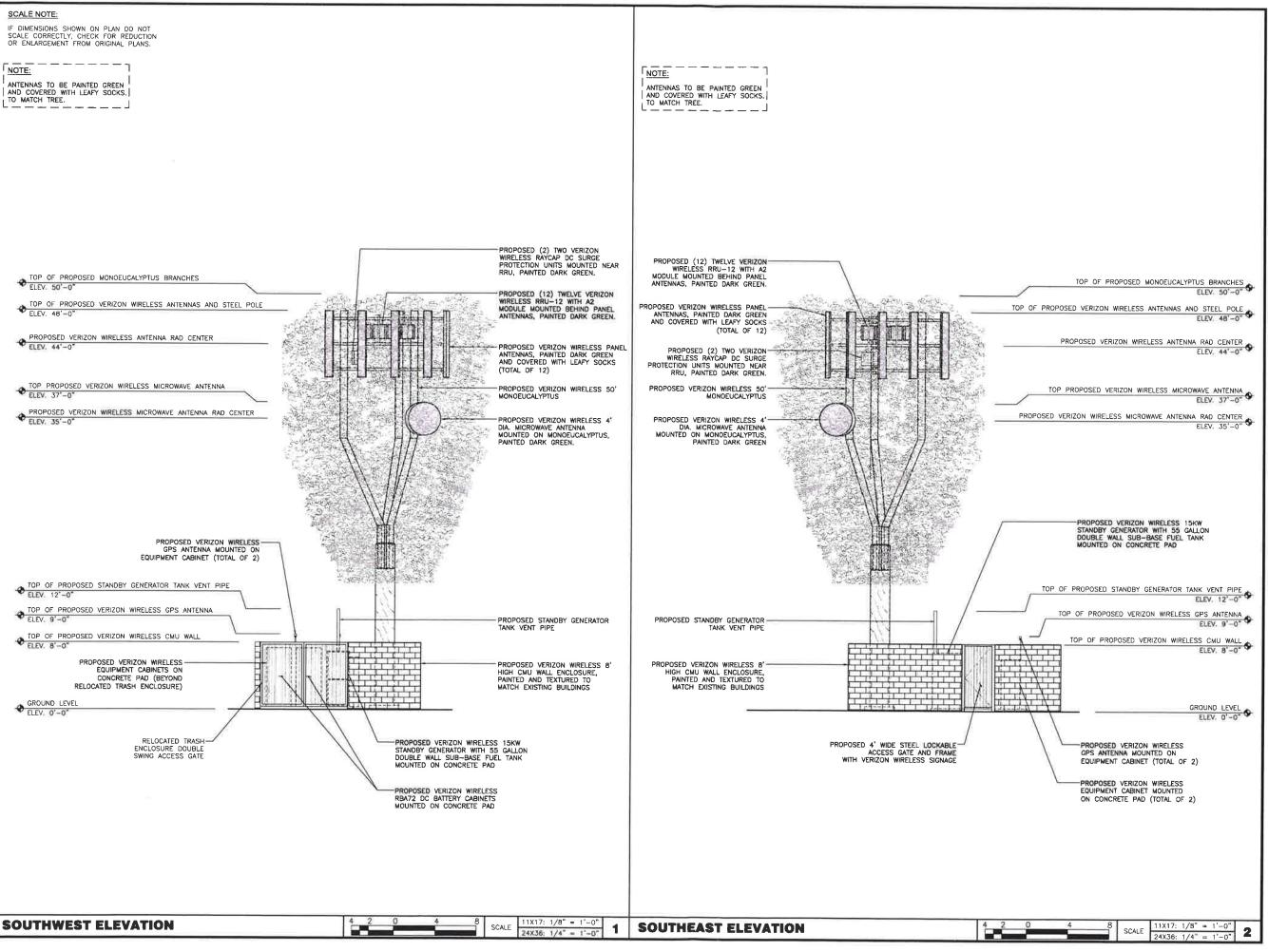


LICENSER:

SHEET TITLE:

ANTENNA PLAN







15505 SAND CANYON AVE-BUILDING "D", FIRST FLOOR IRVINE, CA 92618

PROJECT INFORMATION:

THE LAB

3140 PULLMAN ST. COSTA MESA, CA 92626

REVISIONS:

REV.	DATE	DESCRIPTION	В
Α	12/22/14	90% ZONING DRAWING	М
0	01/08/15	100% ZONING DRAWING	RE
			\vdash
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CONSULTANT:



COASTAL BUSINESS GROUP, INC. 16150 SCIENTIFIC WAY IRVINE, CA 92618 TEL: (949) 336-1550 FAX: (949) 336-6665

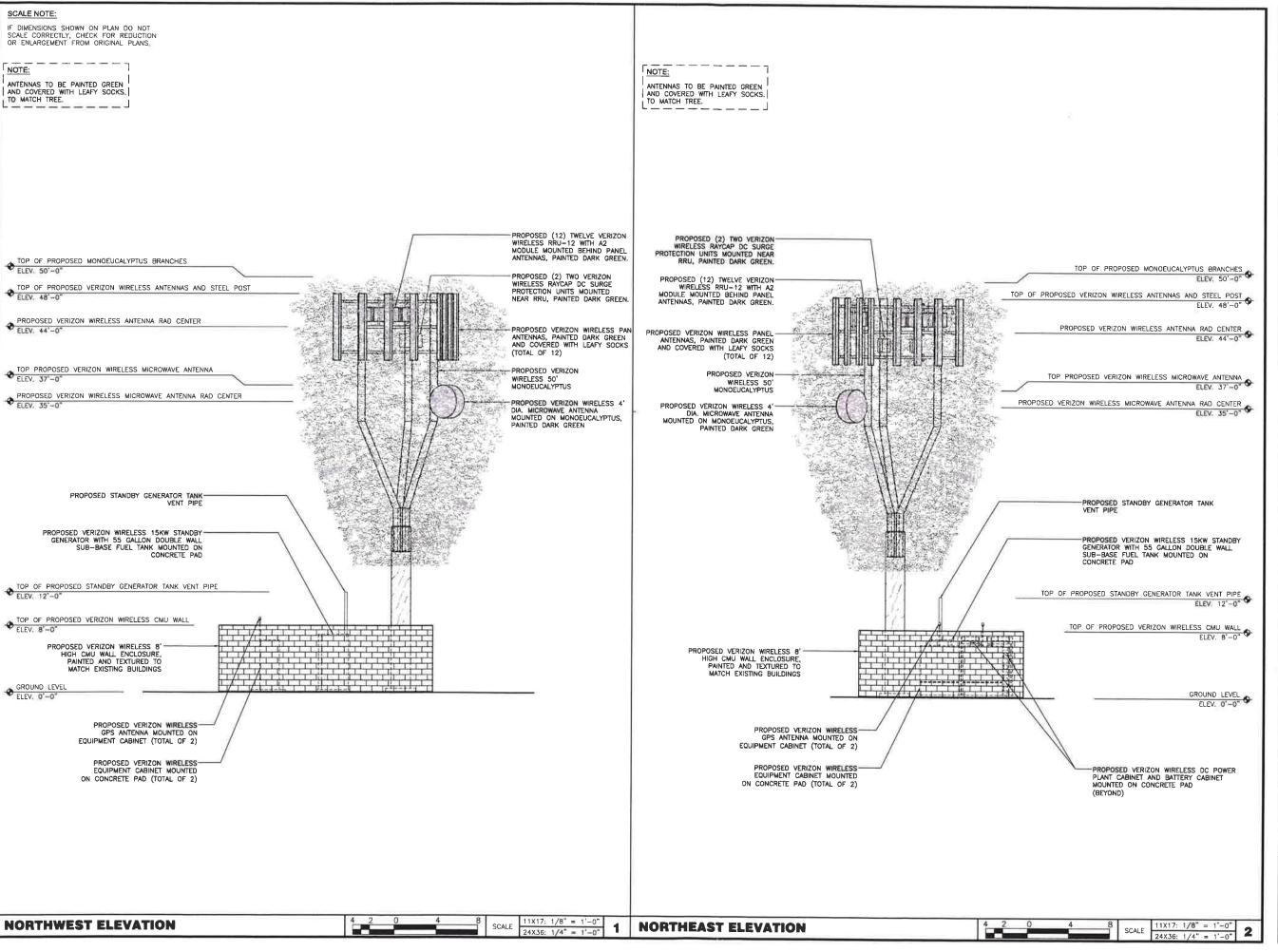




13225 DANIELSON ST, SUITE 200 POWAY, CA 92064 TEL: (858) 668-2828

LICENSER:

ELEVATIONS





PROJECT INFORMATION:

THE LAB

3140 PULLMAN ST. COSTA MESA, CA 92626

REVISIONS:

BY	DESCRIPTION	DATE	REV.
МІ	90% ZONING DRAWING	12/22/14	Α
RED	100% ZONING DRAWING	01/08/15	0

CONSULTANT:



COASTAL BUSINESS GROUP, INC. 16150 SCIENTIFIC WAY IRVINE. CA 92618 TEL: (949) 336-1550 FAX: (949) 336-6665

NGINEER.





13225 DANIELSON ST, SUITE 200 POWAY, CA 92064 TEL: (858) 668-2828 FAX: (858) 668-2827

LICENSER:

SHEET TITLE:

ELEVATIONS



CITY OF COSTA MESA



P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

May 21, 2015

John C. Marvick 1827 Capital St Suite 102 Corona, CA 92880

RE:

ZONING APPLICATION ZA-15-011 MINOR CONDITIONAL USE PERMIT FOR A MEDICAL USE (VEINCLINIC) TO DEVIATE FROM THE SHARED PARKING REQUIREMENTS DUE TO UNIQUE OPERATING CHARACTERISTICS 1712 NEWPORT BOULEVARD, COSTA MESA

Dear Mr. Marvick:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings attached and subject to the conditions listed. The decision will become final at 5:00 p.m. on May 28, 2015, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Antonio Gardea, at (714) 754-5692, or at antonio.gardea@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP

Bouwers Jun

Zoning Administrator

Attachments:

Project Description

Findings

Conditions of Approval, Code Requirements, and Special District

Requirements

Applicant's Project Description and Plans

CC:

Engineering

Fire Protection Analyst Building Safety Division

Transportation Services Division

ZA-15-011 May 21, 2015 Page 2 of 9

> Stonington Properties Attn: Gene Scarcello 1827 Capital St Suite 102 Corona, CA 92880

Eugene S Scarcello 1706 B Newport Boulevard Costa Mesa, CA 902627-3010

VeinClinic CA Attn: Andy Sharifi 431 North Tustin Avenue Santa Ana, CA 92705 ZA-15-011 May 21, 2015 Page 3 of 9

BACKGROUND

Project Site/Environs

The project site is located on the east side of Newport Boulevard at the intersection with East 17th Street. The property is zoned C2 (General Business District) and has a General Plan Land Use Designation of General Commercial. The site is bounded by commercial uses to the east and north.

The site consists of three lots that are under single ownership. The site is a narrow, rectangular-shaped lot with an area of approximately area of .15 acre (6,500 square feet) in size and developed with a 3,038-square foot building originally constructed in 1949. The site encompasses portions of three diagonal parking spaces in front of the building and two parking spaces are provided at the rear of the building. The other two parcels are developed with adjoining two-story and one story buildings consisting of a total building area of 15,189 square feet.

The site plan indicates that a total of 33 parking spaces are provided, including the parking spaces noted above. A total of 25 on-site parking spaces are shown on the site plan: 14 spaces directly accessible from two points of ingress/egress on Newport Boulevard; and 13 spaces accessed via E. 17th Street. Six additional six parking spaces are shown in the public right of way directly in front of the property.

PROJECT DESCRIPTION

The proposed medical use will occupy a 2,148 square foot tenant space. The proposed floor plan consists of three treatment rooms, two exam offices, two administrative offices, a waiting area, and restrooms.

The applicant requests approval of a minor conditional use permit (MCUP) to allow the establishment of a medical use with a deviation from the shared parking requirements due to unique operating characteristics.

ANALYSIS

The floor plan shows that a portion of the building (890 square feet) is not a part of the proposed medical office and occupied by the adjacent commercial use (Sit-N-Sleep). The remaining 2.148-square foot tenant space would be used as a medical office.

Parking

The City's Zoning Code parking requirement for retail/office uses is four parking spaces per 1,000 square feet of floor area; for medical uses, six parking spaces per 1,000 square feet of floor area. Based on the square footage, a total of nine parking spaces are credited for this tenant space (under retail/office standards) with 13 parking spaces required for the

ZA-15-011 May 21, 2015 Page 4 of 9

medical use. Consequently, application of the code required parking ratio results in a deficit of four parking spaces.

According to the applicant's description of the use, a copy of which is attached to this letter, the hours of operation are 9:00 a.m. to 5:00 p.m. Monday through Friday, and every other Saturday, with a maximum of four employees. The applicant notes that between 8 and 12 patients are seen per day. The medical procedures take approximately 30 minutes and patient appointments are 15 minutes. Staff will park at the rear of the building. At no time will there be more than nine occupants total in the suite.

Based on the applicant's description of the proposed medical use, an adequate number of on-site parking spaces is provided. The description outlines the low intensity nature of the business and indicates that the use is a specialized medical practice which does not have the foot traffic of a more generalized medical use. Based on the information provided by the applicant and the floor plan submitted, the on-site parking spaces allocated for the tenant space will adequately provide parking for the proposed medical use.

A condition of approval requires that if parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to eliminate the problem, including, but not limited to, reducing the patient appointments or restricting the operating hours of the business.

GENERAL PLAN CONFORMITY

Future development of all land within the City of Costa Mesa is guided by the General Plan adopted in 2002. The General Plan sets forth land use goals, policies, and objectives that guide new development and uses.

Based on the issues discussed in the previous sections, the request, as conditioned, is consistent with the following goals and objectives of the General Plan.

 Objective LU-1A: Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.

LU-1A.1 Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.

The General Commercial designation intended to permit a wide range of commercial uses, which serve both local and regional needs. Appropriate uses include uses permitted in the Neighborhood Commercial designation such as retail shops, financial institutions, service establishments, as well as more intense uses like restaurants, automobile sales and service establishments that benefit from exposure to major transportation routes.

ZA-15-011 May 21, 2015 Page 5 of 9

The proposed medical use would provide a specialized service to the community. The medical use would not generate vehicle trips in excess of that which can be supported by the existing traffic infrastructure.

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15301, Existing Facilities, of the CEQA Guidelines.

FINDINGS

A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

Finding: The proposed use is compatible with developments in the same general area and would not be materially detrimental to other properties within the area.

Facts in Support of Findings: Based on the applicant's description of the use and the floor plan for the proposed medical use, an adequate number of on-site parking spaces are provided. As noted earlier, 13 parking spaces are required for the proposed medical use and nine on-site parking spaces are provided; that results in a shortfall of four spaces. However, the applicant indicates that the business would require a maximum of four employees and no more than five patients can be accommodated at the site at one time. The nine parking spaces required is thereby equivalent to the number of spaces credited for a retail / office / commercial use of the same size.

Finding: Granting the minor conditional use permit will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Findings: The proposed medical use will be compatible with the surrounding businesses. The medical office is a specialty medical practice; is small in scale with a small number of staff and limited number of exam and treatment rooms. Treatments will be scheduled by appointment only basis and, therefore, will not yield the same parking demand as a traditional doctor's office.

Finding: Granting the minor conditional use permit will not allow a use, density, or intensity which is not in accordance with the General plan designation.

Facts in Support of Findings: The request is consistent with the following goals and objectives of the General Plan:

• Objective LU-1A: Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.

The General Commercial designation intended to permit a wide range of commercial uses, which serve both local and regional needs. Appropriate uses include uses permitted in the Neighborhood Commercial designation such as retail shops, financial institutions, service establishments, as well as more intense uses like restaurants, automobile sales and service establishments that benefit from exposure to major transportation routes. The proposed medical use would provide a specialized service to the community. The proposed use would not generate vehicle trips in excess of that which can be supported by the existing traffic infrastructure.

- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15301, Existing Facilities, of the CEQA Guidelines
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- Plng. 1. The conditions of approval, code requirements, and special district requirements of ZA-15-011 shall be blueprinted on the face of the site plan as part of the plan check submittal package (if plan check is required).
 - 2. The use shall be limited to the type of operation as described herein, i.e. a specialty medical practice with no more than four employees/doctors and five patients in the suite at any one time. Any change in the operational characteristics shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that the Municipal Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
 - 3. The zoning application herein approved shall be valid until revoked. The Director of Economic & Development/Deputy CEO or his designee may refer the zoning application to the Planning Commission for modification or revocation at any time if, in his opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.

- 4. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
- 5. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or operator shall institute whatever security and operational measures are necessary to comply with this requirement.
- 6. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including but not limited to reducing the number of patient appointments or restricting the operating hours of the business.
- 7. No employees, clients or visitors to the property shall park on City streets. All parking for the use shall take place on the property in designated parking spaces.
- 8. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
- 9. Applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to select the attorney defending it, if it elects to do so.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng. 1. This use, as well as all contractors and subcontractors doing construction-related activity on the site, shall have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
 - 2. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permit(s) for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the zoning application.
 - 3. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
 - 4. Street address shall be visible from the fascia adjacent to the main entrance or on another prominent location. Numerals shall be a minimum twelve (12) inches in height with not less than three-fourth-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be four (4) inches in height with not less than one-fourth-inch stroke and shall contrast sharply with the background.
 - 5. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
- Bldg. 6. Comply with the requirements of the following adopted codes: 2013 California Building Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Standards Code, and 2013 California Energy Code (or the applicable adopted California Building Code, California Electrical Code,

California Mechanical Code, California Plumbing Code, and California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations, also known as the California Building Standards Code, as amended by the City of Costa Mesa.

- 7. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disabilities shall comply with chapter 11B of the 2013 California Building Code.
 - Accessibility shall be to and through the front door and to the commercial space from the public sidewalk.
 - Accessible restrooms/bathrooms in the commercial space.
 - Accessible parking.
 - Accessible entry door, ramps, landings, sidewalks, hallways, strike edge clearances, and elevation changes.

Bus. Lic. 8. If construction occurs, all contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani. 1. Comply with the requirements of the California Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
- AQMD 2. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.



Andy Sharifi Medical Director

431 North Tustin Avenue Santa Ana, CA 92705 949-273-7300 andy@veinclinicca.com Regarding said property:

1712 Newport Blvd. Costa Mesa, Ca 92627

April 6, 2015

City of Costa Mesa,

Good day, my name is Andy Sharifi, Medical Director of VeinClinicCA, the #1 Vein Center in the OC. Listed below is a brief description of our office and operations:

Our doctor and our services:

We provide state of the art treatments for both the medically necessary and cosmetic treatments of Varicose and Spider veins and their complications. We see approximately 8 to 12 patients a day and our procedures take only 30 minutes. Our new patient and follow up patient exams only take 15 minutes. We have on an average 3 to 4 employees which includes the doctor himself. We are a specialty medical practice so there will not be high traffic unlike a primary care physician clinic.

Our hours of operation is Monday through Friday from 9:00am to 5:00pm, and every other Saturday as well as every other Monday we are closed.

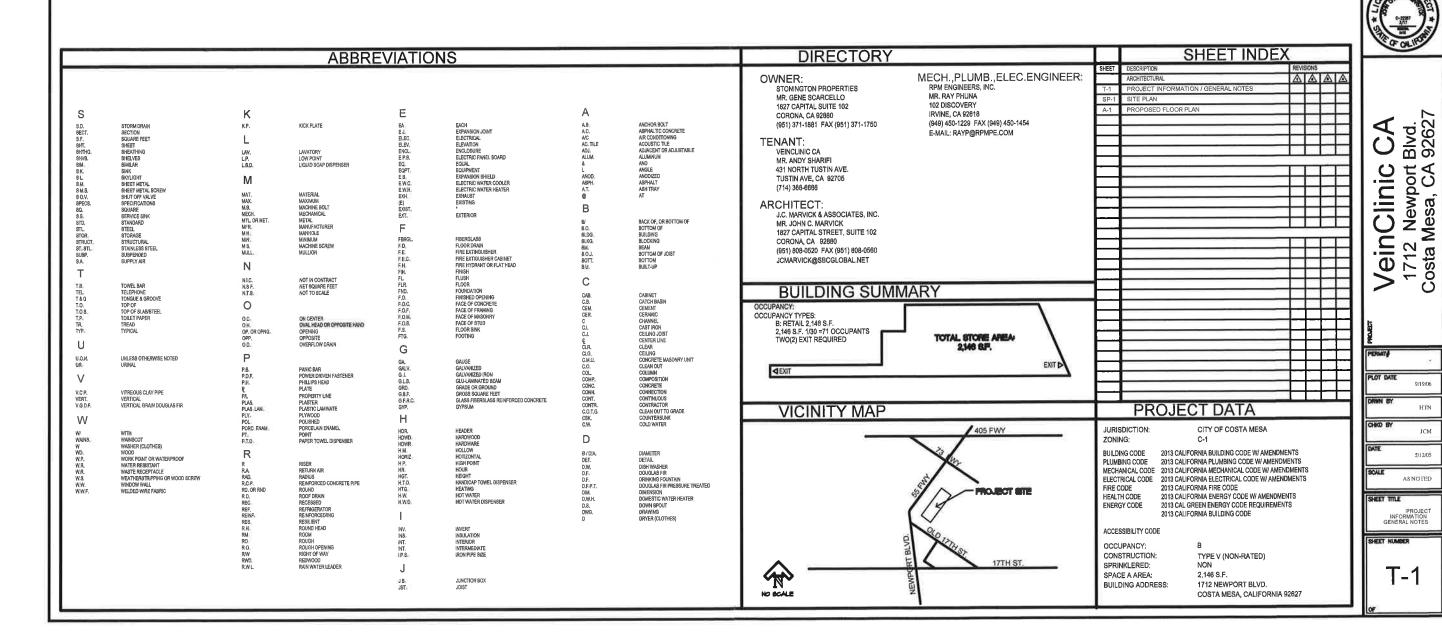
All staff will be directed to park on the street or in the back of the unit if parking is permitted. Also there is 200+ sf of the unit that is just a hallway and is not utilized by patients or staff.

Please let us know the next step to make this happen, or if there is any other information that you need. We look forward to the opportunity to be in the City of Costa Mesa.

Regards,

Andy Sharifi

VeinClinic CA 1712 Newport Blvd. Costa Mesa, CA 92627



JCM

