REPORT TO THE HEARING OFFICER

HEARING DATE: June 26, 2013

ATTENTION: Hearing Officer

SUBJECT: SPRINT – CHRIST UNITED
PTS PROJECT NUMBER: 291968

LOCATION: 3025 Fir Street

APPLICANT: Sprint (Permittee)
Christ United Presbyterian Church of San Diego (Owner)

SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit (CUP) for a Wireless Communication Facility (WCF) in the Greater Golden Hill Community Plan area?

Staff Recommendation: APPROVE Conditional Use Permit No. 1142183.

Community Planning Group Recommendation: The Greater Golden Hill Planning Committee voted unanimously to recommend approval of this project at their January 9, 2013 meeting. (Attachment 8)

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301(b) (Existing Facilities – Public or Private Utilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on May 20, 2013, and the opportunity to appeal that determination ended June 7, 2013.

BACKGROUND & DISCUSSION

Sprint – Christ United is an application for a Conditional Use Permit (CUP) for a Wireless Communication Facility (WCF). The project is located in the Greater Golden Hill Community Plan area in the Greater Golden Hill Planned District GH-1500 zone at 3025 Fir Street.
(Attachments 1, 2, and 3)
WCFs are permitted in residential zones with a non-residential use with the processing of a CUP, Process 3, when the antennas are located less than 100 feet from the property line of a residential use, day care, elementary school, or middle school. In this case, a day care/elementary school operate on the premises.

WCF’s are required to use the smallest, least visually intrusive antennas, components, and other necessary equipment. Applicants are required to use all reasonable means to conceal or minimize the visual impacts of WCF’s through integration. Integration with existing structures or among existing uses shall be accomplished through the use of architecture, landscape, and siting solutions.

This project proposes to comply with the regulations by locating one panel antenna on the façade of an existing building. The antenna will be concealed behind a radio-frequency transparent cross-design element. (Attachment 1) An equipment cabinet associated with the antenna is located under a staircase out of view.

The City’s General Plan addresses Wireless Facilities in Policy UD-A.15. The visual impact of WCFs should be minimized by concealing WCFs in existing structures, or utilizing camouflage and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Equipment associated with the WCF should be located in underground vaults or unobtrusive structures. This project complies with the General Plan recommendations by effectively integrating the antennas on the existing structure and locating the equipment in a way where it is not visible from the public right-of-way. This allows the WCF to be integrated with the property, and respectful of the neighborhood context.

Based on the proposed design, the project complies with the WCF Regulations of the Land Development Code (LDC 141.0420). The project has received support from the community planning group, and draft findings have been made in the affirmative to approve the CUP. Therefore, Staff recommends approval of CUP No. 1142183.

ALTERNATIVES

1. Approve Conditional Use Permit No. 1142183, with modifications.

2. Deny Conditional Use Permit No. 1142183, if the Hearing Officer makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

[Signature]

Alex Hempton, AICP
Development Project Manager
Attachments:
1. Aerial Photo
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Notice of Right to Appeal Environmental Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Photo Simulation
11. Photo Survey
12. Site Justification
13. Coverage Maps
14. Hearing Officer Hearing Public Notice
15. Project Plans
Community Plan Land Use Map

Sprint – Christ United, Project No. 291968
3025 Fir Street

Identified as Residential
Sprint – Christ United, Project No. 291968
3025 Fir Street
**PROJECT DATA SHEET**

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<thead>
<tr>
<th>PROJECT NAME:</th>
<th>Sprint - Christ United</th>
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</thead>
<tbody>
<tr>
<td>PROJECT DESCRIPTION:</td>
<td>Conditional Use Permit (CUP), Process 3, for a panel antenna façade mounted to an existing building, concealed behind a radio-frequency transparent cross detail, with an equipment cabinet located adjacent to the building.</td>
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<td>COMMUNITY PLAN:</td>
<td>Greater Golden Hill</td>
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<td>DISCRETIONARY ACTIONS:</td>
<td>Conditional Use Permit, Process 3</td>
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<tr>
<td>COMMUNITY PLAN LAND USE DESIGNATION:</td>
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**ZONING INFORMATION:**

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<tr>
<td>WEST:</td>
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<td>Residential</td>
</tr>
</tbody>
</table>

| DEVIATIONS OR VARIANCES REQUESTED: | None.                                  |
| COMMUNITY PLANNING GROUP RECOMMENDATION: | The Greater Golden Hill Planning Committee voted unanimously to recommend approval of this project at their January 9, 2013 meeting. |
WHEREAS, CHRIST UNITED PRESBYTERIAN CHURCH OF SAN DIEGO, Owner, and SPRINT, Permittee, filed an application with the City of San Diego for a permit to construct, operate, and maintain a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1142183);

WHEREAS, the project site is located at 3025 Fir Street in the Golden Hill Planned District-GH-1500 zone of the Greater Golden Hill Community Plan area;

WHEREAS, the project site is legally described as Lots 1-3 and 22-24 in Block 42 of Seaman and Choate's Addition, in the City of San Diego, County of San Diego, State of California, according to the Map Thereof No. 264, filed in the Office of the Recorder of San Diego County, March 5, 1867;

WHEREAS, on June 26, 2013, the Hearing Officer of the City of San Diego considered CONDITIONAL USE PERMIT NO. 1142183, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on May 20, 2013, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guidelines Sections 15301(b) (Existing Facilities - Public or Private Utilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated June 26, 2013.

FINDINGS:

Conditional Use Permit - Section 126.0305

1. The proposed development will not adversely affect the applicable land use Plan.

   While the Greater Golden Hill Community Plan does not specifically address WCF's, the City's General Plan, in Policy UD-A.15, states that the visual impact of wireless facilities should be minimized. This can be achieved by concealing wireless facilities in existing structures when possible, or by using camouflage and screening techniques to hide or blend them into the surrounding area. This project proposes to façade mount a single panel antenna to an existing building, to be concealed behind radio-frequency transparent material, resembling an architectural element with cross detailing, painted and textured to match adjacent building surfaces. An equipment cabinet associated with the antenna is located under a staircase, not visible from the public right-of-way. Based on the design of this WCF, the project will not adversely affect the applicable land use plan.
2. The proposed development will not be detrimental to the public health, safety, and welfare.

The Telecommunications Act of 1996 preempts local governments from regulating the “placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emission to the extent that such facilities comply with the Federal Communication Commission’s (FCC) standards for such emissions.” The proposed project would be consistent with the FCC’s regulations for wireless facilities. To ensure that the FCC standards are being met, a condition has been added to the permit that requires that the applicant submit a cumulative RF study to demonstrate compliance with the applicable FCC regulations. Therefore, based on the above, the project would not result in any significant health or safety risks and will not be detrimental to the public health, safety, and welfare within matters of the City’s jurisdiction.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and

The WCF Design Requirements state that the applicant shall use all reasonable means to conceal or minimize the visual impacts of the WCF through integration. Integration with existing structures or among existing uses shall be accomplished through the use of architecture, landscape, and siting solutions. In this case, the antenna is façade mounted to an existing building, with radio-frequency transparent screening, designed with cross architectural elements, and painted and textured to match adjacent building surfaces. An equipment cabinet associated with the antenna is located under a staircase, not visible from the public right-of-way. WCFs are permitted in residential zones with a non-residential use, where the antennas are less than 100’ from the property line of a residential use, day care, elementary school, or middle school with the processing of a Conditional Use Permit, Process 3. In this case, the project complies with the regulations of the Land Development Code, based on the design of the WCF, and no deviations are requested.

4. The proposed use is appropriate at the proposed location.

WCF are permitted in residential zones, with a non-residential use, where the antennas are located less than 100’ from the property line of a residential use, day care, elementary school, or middle school, with a Process 3 Conditional Use Permit. Council Policy 600-43 and the WCF regulations, LDC 141.0420, allow WCF in commercial and industrial zones with a lower process level than a residential zone with a residential use. Locating a WCF in a commercial or industrial zone is more preferable than locating a WCF in a residential zone with a residential use. In this case, the WCF is proposed in a residential zone, with a non-residential use. If the antenna was located more than 100’ from the property line of a residential use or on a property that did not have a day care or elementary school on the premises, the WCF would be permitted with a Process 2 Neighborhood Use Permit. Since the antenna is located less than 100’ from the property line of a residential use, day care, elementary school, or middle school, a Process 3 Conditional Use Permit is required. The antenna is façade mounted to the existing building with screening, designed to resemble an architectural cross detail, painted and textured to match adjacent building surfaces. An equipment cabinet associated with the antenna is located under a staircase adjacent to the building. The existing building has an educational/institutional use. The
proposed use is appropriate at the proposed location based on the design and existing building use.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, CONDITIONAL USE PERMIT NO. 1142183 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1142183, a copy of which is attached hereto and made a part hereof.

Alex Hempton, AICP
Development Project Manager
Development Services

Adopted on: June 26, 2013

Internal Order No. 24003131
This CONDITIONAL USE PERMIT (CUP) No. 1142183 is granted by the HEARING OFFICER of the City of San Diego to CHRIST UNITED PRESBYTERIAN CHURCH OF SAN DIEGO, Owner, and SPRINT, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0420 and 126.0301. The site is located at 3025 Fir Street in the Greater Golden Hill Planned District-GH-1500 zone of the Greater Golden Hill community plan area. The project site is legally described as: Lots 1-3 and 22-24 in Block 42 of Seaman and Choate's Addition, in the City of San Diego, County of San Diego, State of California, according to the Map Thereof No. 264, filed in the Office of the Recorder of San Diego County, March 5, 1867.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct, operate, and maintain a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 26, 2013, on file in the Development Services Department.

The project shall include:

a. One (1) panel antennas (with the following dimensions: 6' by 11.8" by 7.95"), façade mounted to an existing building, concealed behind a radio-frequency transparent architectural cross detail, with an equipment cabinet located adjacent to the building under a staircase;

b. This structure is for the primary purpose of educational and institutional uses, but may have the secondary purpose of accommodating Permittee's Operations on the Premises.

c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in
accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by July 11, 2016.

2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on June 26, 2023. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.

3. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for enforcement for noncompliance, which may include penalties and fines.

4. Under no circumstances, does approval of this permit authorize Sprint (or subsequent Permittee) to utilize this site for wireless communication purposes beyond the permit expiration date. Use of this permit beyond the expiration date of this permit is prohibited.

5. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

   a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and

   b. The Permit is recorded in the Office of the San Diego County Recorder.

6. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

7. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
8. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

9. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

10. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

11. Construction plans shall be in substantial conformity to Exhibit “A.” Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

12. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

13. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney’s fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney’s fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to,
settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

PLANNING/DESIGN REQUIREMENTS:

14. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

15. The Owner/Permittee shall not cause or allow the antenna located on the building to be different sizes (length, width, or height) than as shown on the stamped approved plans.

16. The WCF shall conform to the Exhibit “A” (consisting of the stamped approved plans and approved photosimulations) prior to receiving final inspection approval.

17. Prior to the issuance of a construction permit, the telecommunication provider shall provide a certified cumulative radio frequency model study demonstrating compliance with the Federal Communications Commission’s Radio Frequency Guidelines. All significant contributors to the ambient RF environment should be considered in the radio frequency model study.

18. All equipment, including transformers, emergency generators and air conditioners belonging to the Permittee shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.

19. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHAFCC to the satisfaction of the Development Services Department.

HISTORIC REQUIREMENTS:

20. Prior to Issuance of any construction permit(s) for current and future improvements to the existing potentially historic structure(s) on the property, the Owner/Permittee shall submit construction documents to the Historical Resources Section within the Development Services Department for review. The construction documents shall show all proposed improvements and shall be consistent with the Secretary of Interior’s Standards to the satisfaction of the Development Services Department due to the historic nature of the structure(s).

INFORMATION ONLY:

• The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
• A "Telecom Planning Inspection" will be required prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans, exhibits, and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at 619-446-5349 to schedule an inspection of the completed WCF. Please request the telecom inspection at least five working days ahead of the requested Final inspection.

• Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

• This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on June 26, 2013 and HO-XXXX.
ATTACHMENT 6

Permit Type/PTS Approval No.: CUP No. 1142183
Date of Approval: 6/26/13

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Alex Hempton, AICP
Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

CHRIST UNITED PRESBYTERIAN CHURCH OF SAN DIEGO
Owner

By
Calvin Yeldell
Property Chair

SPRINT
Permittee

By
Stephanie Whitlock / Alcatel Lucent
Agent for Sprint/Nextel

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
NOTICE OF RIGHT TO APPEAL
ENVIRONMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT
SAP or WBS No. 24003131

PROJECT NAME/NUMBER: Sprint Christ United /291968
COMMUNITY PLAN AREA: Greater Golden Hill
COUNCIL DISTRICT: 3
LOCATION: 3025 Fir Street, San Diego, CA 92102 (Lots 1-3 and 22-24 of Block 42 of Seaman and Choates Addition)

PROJECT DESCRIPTION: Conditional Use Permit for a Wireless Communication Facility (WCF) consisting of one (1) panel antenna mounted to the façade of an existing church building and screened by a Radio Frequency cross painted to match the building. The antenna would replace an existing antenna located on the building with all of the existing equipment for the existing antenna to remain in place. The project is located at 3025 Fir Street in the Golden Hill Planned District and is zoned GH-1500 within the City and County of San Diego.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: This project is exempt pursuant to the California Environmental Quality Act Section 15301 (b) – existing facilities, public or private utilities.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: This project is exempt because minimal changes are required to remove and replace antennas and would allow an existing WCF to continue operation. City of San Diego Historic Resources Board (HRB) staff evaluated the project and determined that the project would be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties and would not adversely impact the building's eligibility as a historic resource. In addition the project is exempt because it meets the criteria set forth in CEQA section 15301(b) – existing facilities, public or private utilities and where the exceptions listed in CEQA section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER: Alex Hempton
MAILING ADDRESS: 1222 1st Avenue, San Diego, CA 92101
PHONE NUMBER: 619-446-5349
On May 20, 2013 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.
GREATER GOLDEN HILL PLANNING COMMITTEE MINUTES
January 9, 2013 – Approved

The meeting took place at Balboa Park Golf Course Club House on Golf Course Drive. Chair Ruchelle Alvarez called the meeting to order at 6:30 PM. The agenda had been posted in accordance with the Brown Act. A quorum was present.


The minutes from November were approved (Swarens, Shields). Ten votes in favor, three abstentions.

GOVERNMENTAL REPORTS

33rd Congressional District/Katherine Fortner. Fortner announced she is leaving Congresswoman Davis’s office and introduced her successor, Gavin Deeb.

Council District 3/Courtney Thomson reported on questions raised in November:

1) Historic resources. The city is taking stock of the preservation of historic stamps. Concerns can be referred to Resident Engineer Renate Schaffer at 619/527-5486.

2) DSD - Scope of liaison. Liaison was only for historically designated neighborhoods. She stepped out of her purview, inserting herself into the South Park discussion and making advisements based on work being done in Talmadge. South Park is not being handled the same as Talmadge. It is not the same language and requirements in the contract.

3) Undergrounding. Contact Mario Reyes at 619/533-7426.

4) C St. staging area. The staging area for the South Park project has been cleaned and vacated. The resident engineer, Renato Schaffer, is the contact for complaints.

5) 832 24th St. lighting replacement. Lights affected by undergrounding will be replaced with standard cobra lighting. According to Thomson, acorn lights are only for areas with high crime and a historical designation as well as a maintenance assessment district to pay the difference in cost and maintain the lights. Swarens, Strickland, and Shields disputed this reasoning, asking the difference in cost between the light styles and pointing out the importance of maintaining historic areas. Thomson will do further research and respond in February.

6) Parking on E St. between 24th and 25th streets. This has been brought to the attention of Senior Traffic Engineer Gary Pence. A traffic request has been assigned to city staff.

7) Broken concrete at 1635. This has been reported to Mario Reyes for investigation.

8) 30th and Beech sidewalk café. Possible infringement of public walking space will be investigated by Eric Pitou of Code Compliance at 619/533-6293. The café owners maintain they have permits for the entire outside space.

Asked about Gloria’s position on an Earth Day Fair in Balboa Park, Thomson will refer the question to Steve Hill on Gloria’s staff. Asked whether the Planning Committee chair can meet regularly with Gloria, Thomson advised calling the scheduler.

Economic Development/Luis Ojeda responded to questions about Maintenance Assessment District refunds. Of 3600 parcel owners, 511 have submitted claims. The 2011-12 assessment was refunded by the County Tax Assessor, who according to Ojeda explained in a letter accompanying the checks how to get refunds for previous years. (Note: A review of the letter shows that it did not in fact explain how to get refunds; it only listed a city telephone number
to call if recipients wanted further information.) Refunds now come from the MAD’s reserve fund. When it is exhausted, further refunds will come from the General Fund. As for the statute of limitations that prohibits refunding the first year’s assessment, the assessment is not a tax under Proposition 218, but it is a tax under a different statute, and that is the one the City Attorney elected to follow. Several committee members expressed dissatisfaction with Ojeda’s answers. Shields proposed the formation of an ad hoc sub-committee to discuss the situation with the mayor’s office. The motion was passed unanimously. Shields, Brierton, and Kroll will comprise the sub-committee.

NON-AGENDA PUBLIC COMMENT

Problems of public notice: David Skillman noted that meeting agendas must be posted for 72 hours prior to the meeting in places that are open the entire 72 hours, such as the two South Park kiosks. Thomas said the South Park Business Group will now post the agendas in the kiosks. Skillman pointed out that Golden Hill lacks any kiosks but that the developers of the site at 25th and F streets are amenable to installing them if money can be found.

COMMUNITY PLAN UPDATE

City Planner Bernie Turgeon discussed proposed density changes to parcels adjoining commercial property in the Beech St. commercial area. These parcels would be redesignated low medium, allowing them to house duplexes, whereas they are now designated for single family houses. Brierton volunteered to invite the owners of these parcels to the next meeting to discuss the proposed change. She will meet with Turgeon to discuss the revitalization of the Planning Department, as proposed by Mayor Filner.

OTHER AGENDA ITEMS

Sprint cell site located at 3025 Fir St., Christ United Church. The site now has a four-feet antenna and wants to add a six-foot antenna for better coverage. The city is now reviewing the proposal. The proposed antenna would use the form of a cross, painted and textured to match the church building and mounted to its façade, not the top of the building. The committee applauded the plan and approved it (Shields/Strickland) unanimously.

Cerro Gordo. No representative appeared to discuss this project.

Monitoring Well at 32nd St. and Broadway. Gregory Cross of San Diego Public Utilities reviewed the entire history of the project in a Power Point presentation. Analysis showed that the potential well yielded only about 3 gallon per minute per foot of drawdown, whereas a good well yields 6 gallons. The transmissivity ranges from 2548 ft. to 2862 ft. squared a day—low to average for the San Diego Formation, which is one layer of the geologic cross section of the region. Conclusions were that the well would entail difficult drilling, brackish groundwater, low yield, and had high cost implications, but that additional testing was recommended in case water was really at a premium.

Alternates for CPC Committee. Shields and Strickland volunteered to serve. The motion to appoint them was passed unanimously.

SUB-COMMITTEE UPDATES

Historic. A report on the proposed South Park Historic District has been submitted to Kelley Stanco in the City Planning Department.

OTHER ITEMS
The Mayor's Office has not yet determined whether to send representatives to Planning Committee meetings, but the prognosis sounds favorable.

Alvarez noted that Process 1 applications (administrative) are outside the committee's purview, but she will circulate a list of projects for the committee to review. Brierton pointed out that environmental issues may need to be addressed in the very short time limit of two weeks. Turgeon will investigate.

Burke-Medvedyev is moving outside the district and is no longer eligible to serve on the committee.

Brierton and possibly Santini will attend the Code Compliance workshop and report on it to the committee.

The meeting was adjourned at 8:25.
Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval(s) requested:

- Neighborhood Use Permit
- Coastal Development Permit
- Neighborhood Development Permit
- Coastal Development Permit
- Variance
- Tentative Map
- Vesting Tentative Map
- Map Waiver
- Land Use Plan Amendment
- Other

Project Title: Sprint SD34XC814

Project Address: 3025 Fir Street, San Diego, CA 92102

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest: e.g., tenants who will benefit from the permit, all individuals who own the property. A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached: Yes  No

<table>
<thead>
<tr>
<th>Name of Individual (type or print):</th>
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Name of Individual (type or print): Owner Tenant/Lessee Redevelopment Agency

Project No. For City Use Only: 27968
Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):
- Corporation
- Limited Liability
- General

What State?

Corporate Identification No.: __________

I Partnership

By signing the Ownership Disclosures Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached: [Yes/No]

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<tr>
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<td>SAN DIEGO, CA 92102</td>
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<tr>
<td>Phone No:</td>
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<tr>
<td>(619) -239-2346</td>
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<tr>
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<tr>
<td>(619) -239-9830</td>
<td>(619) -239-9830</td>
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<tr>
<td>Name of Corporate Officer/Partner (type or print):</td>
<td>Name of Corporate Officer/Partner (type or print):</td>
</tr>
<tr>
<td>HERB C. JOHNSON</td>
<td>ALBERT MCCLAIN, SR.</td>
</tr>
<tr>
<td>President (type or print):</td>
<td>Vice President (type or print):</td>
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<td>Title (type or print):</td>
<td>Title (type or print):</td>
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<td>Treasurer (type or print):</td>
<td>Secretary</td>
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<td>Signature:</td>
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[Additional pages attached: [Yes/No]]
Directors

**Robert R. Bennett.** Principal of Hilltop Investments, LLC, a private investment company. Mr. Bennett served as President of Discovery Holding Company from March 2005 until September 2008, when the company merged with Discovery Communications, Inc. creating a new public company. Mr. Bennett also served as President and CEO of Liberty Media Corporation from April 1997 until August 2005 and continued as President until March 2006. He was with Liberty Media from its inception, serving as its principal financial officer and in various other capacities. Prior to his tenure at Liberty Media, Mr. Bennett worked with Tele-Communications, Inc. and the Bank of New York. Mr. Bennett serves as a director of Discovery Communications, Inc., Demand Media, Inc., and Liberty Media Corporation. Mr. Bennett has served as one of our directors since October 2006.

**Gordon M. Bethune.** Retired Chairman and Chief Executive Officer of Continental Airlines Inc., an international commercial airline company. He served as Chief Executive Officer of Continental Airlines from 1994 and as Chairman and Chief Executive Officer from 1996 until December 30, 2004. He is a director of Honeywell International Inc. and Prudential Financial, Inc. Mr. Bethune has served as one of our directors since March 2004.

**Larry C. Glasscock.** Retired Chairman of the Board of WellPoint, Inc., a health benefits company. Mr. Glasscock served as President and Chief Executive Officer of WellPoint, Inc. from November 2004 (following the merger between Anthem, Inc. and WellPoint Health Networks Inc.) until June 2007 and as Chairman of WellPoint, Inc. from November 2005 until March 2010. Prior to Anthem’s merger with WellPoint Health Networks in November 2004, Mr. Glasscock had served as Anthem’s President and Chief Executive Officer since 2001 and also as Anthem’s Chairman since 2003. He is a director of Simon Property Group, Inc., Sysco Corporation and Zimmer Holdings, Inc. Mr. Glasscock has served as one of our directors since August 2007.

**James H. Hance, Jr.** Chairman of the Board of Sprint Nextel. Mr. Hance serves as a Senior Advisor to The Carlyle Group. He served as the Vice Chairman of Bank of America Corporation from 1993 until his retirement on January 31, 2005 and as the Chief Financial Officer of Bank of America Corporation from 1988 until April 2004. He is a director of Cousins Properties Incorporated, Duke Energy Corporation, Ford Motor Company and The Carlyle Group. Mr. Hance has served as one of our directors since February 2005.

**Daniel R. Hesse, President and Chief Executive Officer of Sprint Nextel.** Before becoming the President and Chief Executive Officer of Sprint Nextel on December 17, 2007, Mr. Hesse was Chairman, President, and Chief Executive Officer of Embarq Corporation. He served as Chief Executive Officer of Sprint’s Local Telecommunications Division from June 2005 until the Embarq spin-off in May 2006. Before that, Mr. Hesse served as Chairman, President and Chief Executive Officer of Terabeam Corp., a wireless telecommunications service provider and technology company, from 2000-2004. Prior to serving at Terabeam Corp., Mr. Hesse spent 23 years at AT&T during which he held various senior management positions, including President and Chief Executive Officer of AT&T Wireless Services. He serves on the board of directors of the National Board of Governors of the Boys and Girls Clubs of America. Mr. Hesse has served as one of our directors since December 2007.

**V. Janet Hill.** Principal, Hill Family Advisors. In 2010, Mrs. Hill retired from Alexander & Associates, Inc., a corporate consulting firm, after serving as a Vice President since 1981. Mrs. Hill also serves as a director of The Carlyle Group, The Wendy’s Company, and Dean Foods, Inc. Mrs. Hill served as a director of Nextel Communications, Inc. from November 1999 until its merger with Sprint Corporation in August 2005, and she has served as one of our directors since 2005.
Frank Ianna. Chief Executive Officer and Director, Attila Technologies LLC, a Technogenesis Company incubated at Stevens Institute of Technology. Mr. Ianna retired from AT&T in 2003 after a 31-year career serving in various executive positions, most recently as President of Network Services. Following his retirement, Mr. Ianna served as a business consultant, executive and board member for several private and nonprofit enterprises. Mr. Ianna is a director of Tellabs, Inc. Mr. Ianna has served as one of our directors since March 2009.

Sven-Christer Nilsson. Owner and Founder, Ripasso AB, Ängelholm, Sweden, a private business advisory company. Mr. Nilsson serves as an advisor and board member for companies throughout the world. He previously served in various executive positions for The Ericsson Group from 1982 through 1999, including as its President and Chief Executive Officer from 1998 through 1999. Mr. Nilsson is a director of Cava, Inc. and ASSA Abloy AB. He serves as the Chairman of the Swedish Public Service Broadcasting Foundation and of the (Swedish) Defense Materiel Administration. Mr. Nilsson has served as one of our directors since November 2008.

William R. Nuti. Chairman of the Board, Chief Executive Officer and President of NCR Corporation, a global technology company. Mr. Nuti has served as Chief Executive Officer and President of NCR since August 2005, and as Chairman of NCR since October 2007. Before joining NCR, Mr. Nuti had served as President and Chief Executive Officer of Symbol Technologies, Inc. from 2003 to 2005, and as President and Chief Operating Officer of Symbol Technologies from 2002 to 2003. Mr. Nuti joined Symbol Technologies in 2002 following more than 10 years at Cisco Systems, where he advanced to the dual role of senior vice president of the company's Worldwide Service Provider Operations and senior vice president of U.S. Theater Operations. Mr. Nuti has served as one of our directors since June 2008.

Rodney O'Neal. Chief Executive Officer and President of Delphi Automotive PLC, a global supplier of mobile electronics and transportation systems. Mr. O'Neal has served as Chief Executive Officer and President of Delphi since January 2007. He previously served as President and Chief Operating Officer of Delphi from January 2005 until January 2007. In 2000, Mr. O'Neal was named Executive Vice President of the former Safety, Thermal & Electrical Architecture Sector at Delphi. In 2003, he was named president of the Dynamics, Propulsion, and Thermal Sector. Previously, he served in a variety of domestic and international operating assignments for both Delphi and its former parent company, General Motors. Mr. O'Neal has served as one of our directors since August 2007.
1. Description of the location, type, capacity, field strength or power density and calculated geographic service area of the proposed antenna or antenna array.

**LOCATION AND TYPE**
Sprint proposes to modify an existing WCF by replacing one antenna, installing one fiber optic cable using existing conduit, installing one RRH and installing RF screen box over the antenna. This existing facility is unmanned, operating 24 hours a day. The only visits to the site will consist of any emergency calls as well as regular maintenance visits once every four to six weeks.

**FREQUENCY AND POWER SPECIFICATIONS**
The transmitting/receiving frequencies are 800/1900 MHz.

**COVERAGE AND CAPACITY**
The objective of this existing site is to provide coverage to the residential and commercial areas surrounding Christ United Church. Please refer to the coverage map for existing coverage gap.

2. Location of all existing, proposed and anticipated wireless telecommunications facilities in the Applicant/Permittee’s network located within a 1 mile radius from proposed site.

Please refer to justification and coverage maps.

3. A description of how the existing facility fits into, and is a necessary part of the Applicant/Permittee’s network.

The objective of this existing site is to provide coverage to the residential areas surrounding Christ United Church. Please refer to the coverage maps for an illustration of the existing coverage gap.

4. If the proposal does not include collocation, written documentation of all efforts made to collocate at another site, and a justification for the decision not to collocate.

This site is an existing WCF. Sprint will not be collocating with any other carrier.

5. Discuss alternative sites and why they were not selected.

No alternative sites were selected due to this site being an existing site.
Sprint SD34XC814 CHRIST UNITED CHURCH JUSTIFICATION MAP

GREATER NORTH PARK

MID-CITY CITY

= SD34XC814 SITE

No alternate site or collocations investigated due to this site being an existing WCF.
DATE OF NOTICE: June 12, 2013

NOTICE OF PUBLIC HEARING

HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING: June 26, 2013
TIME OF HEARING: 8:30 A.M.
LOCATION OF HEARING: Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101
PROJECT TYPE: CONDITIONAL USE PERMIT, PROCESS 3
PROJECT NO: 291968
PROJECT NAME: SPRINT – CHRIST UNITED
APPLICANT: Maegan Murphy Steudler, TAEC, agents representing Sprint
COMMUNITY PLAN AREA: Greater Golden Hill
COUNCIL DISTRICT: District 3
CITY PROJECT MANAGER: Alex Hempton, Development Project Manager
PHONE NUMBER/E-MAIL: (619) 446-5349 / ahempton@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Conditional Use Permit (CUP) for a Wireless Communication Facility (WCF) consisting of one (1) panel antenna mounted behind a decorative element on the side of an existing building. The project is located at 3025 Fir Street.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 “Appeal Procedure”, available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101.

The decision made by the Planning Commission is the final decision by the City.
This project was determined to be categorically exempt from the California Environmental Quality Act on May 20, 2013 and the opportunity to appeal that determination ended June 7, 2013.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24003131
Revised 04/08/10 HRD
PROPOSED SPRINT 6'-0" PANEL ANTENNA IN PROPOSED RF CROSS, PAINTED & TEXTURED TO MATCH EXISTING BUILDING (1 ANTENNA TOTAL)
ATTACHMENT 15

LACALIZATION

Sprinf

Technology Associates Engineering Corporation Inc.
SAN DIEGO MARKET OFFICE
5372 KEARNY MILLA RD, STE 705
SAN DIEGO, CA 92123

Preliminary not
For Construction

LEGAL DESCRIPTION

LEGAL DESCRIPTION

Page 2 of 9
1. THIS PROJECT PROPOSED IN THIS SUBMITTAL IS A DISCRETIONARY REVIEW PERMIT. THEREFORE, NO STORMWATER BEST MANAGEMENT PRACTICES ARE REQUIRED.

2. NO EXISTING BUILDING SPACE WILL BE USED OR REMOVED BY THIS PROJECT.

3. THIS IS A RENEWAL OF A PERMIT OF AN EXISTING FACILITY FOR WORK WITHIN A 20'-0" RIGHT-OF-WAY.

ATTACHMENT 15

OVERALL SITE PLAN
EXISTING BUILDING

EXISTING SPRINT EQUIPMENT AREA (FACADE MOUNTED), FOR ANTENNA PLAN SEE:

DISCLAIMER
THESE DRAWINGS WERE PRODUCED WITHOUT THE BENEFIT OF A CURRENT LAND SURVEY. ALL PROPERTY LINES, EASEMENTS, AND SETBACKS SHOULD BE VERIFIED PRIOR TO THE START OF CONSTRUCTION. THIS DRAWING DOES NOT GUARANTEE THE ACCURACY OF SAID PROPERTY LINES, EASEMENTS AND SETBACKS.
EXISTING SPRINT 4'-0" COMA SINGLE POLE ANTENNAS (1 TOTAL) - TOP OF EXISTING BUILDING LEVEL 44'-0" AGL

TOP OF EXISTING BUILDING LEVEL 27'-0" AGL

EXISTING SPRINT ANTENNAS CENTER OF EXISTING ANTENNAS & ANTENNA FINISH GRADE

EXISTING BUILDING

EXISTING SPRINT EQUIPMENT AREA IN BASEMENT

NOTE:
1. INSTALLERS TO VERIFY LATEST RF DATASHEET & PLUMBING INSTALLATION DIAGRAMS PRIOR TO INSTALLATION.

PROPOSED SPRINT 6'0" 80011900MHZ ANTENNA (1 TOTAL) PROPOSED RCP CROSS PAINTED TO MATCH EXISTING SOLID

ISSUED FOR: (100% ZD SUBMITTAL)

ISSUES FOR 100% ZD SUBMITTAL REVIEW

ISSUED FOR CITY COMMENTS

ISSUED FOR CITY COMMENTS

LICENSED:

PRELIMINARY - NOT FOR CONSTRUCTION

WEST ELEVATIONS

A-6 2
MANUFACTURER: POWERWAVE
MODEL: A9XVSPP18-C-A20
WEIGHT: 61.0 LBS
DIMENSIONS:
12.0" X 11.8" X 7.95"
FREQUENCY:
REFER TO RF DATA SHEET
ANTENNA INFORMATION:
PULLED FROM PRELIMINARY PRODUCT DATA SHEET
RF CONNECTOR, TYPE:
REMOTE ELECTRICAL TILT ACTUATOR, TYPE:
ANTENNA SPECIFICATIONS
NOT USED
RRH MOUNT TO WALL
NOT USED
1900MHz RRH SPECIFICATIONS
NOT USED